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COMMISSION ON THE EDUCATION OF THE DEAF'S REPORT TO CONGRESS

HEARING

BEFORE THE

SUBCOMMITTEE ON THE HANDICAPPED

OF THE

COMMITTEE ON
LABOR AND HUMAN RESOURCES
UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

SECOND SESSION

ON

REVIEWING A REPORT BY THE COMMISSION ON THE EDUCATION OF THE DEAF

MARCH 21, 1988

Printed for the use of the Committee on Labor and Human Resources

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CONTENTS

STATEMENTS

MONDAY, MARCH 21, 1988

Page
Adams, Hon. Brock, a U.S. Senator from the State of Washington, prepared statement 136
Baker, Cheryl, prepared statement 165
Boschwitz, Hon. Rudy, a U.S. Senator from the State of Minnesota 52
Bowe, Frank G., chairperson, Commission on the Education of the Deaf; Gertrude S. Galloway, chairperson, Precollege Programs Committee; and William Gainer, chairperson, Postsecondary and Adult Education Programs Committee 14
  Prepared statement of Mr. Bowe 20
Harkin, Hon. Tom, a U.S. Senator from the State of Iowa, prepared statement 4
Jordan I. King, president, Gallaudet University, Washington, DC; William E. Castle, director, National Technical Institute for the Deaf, Rochester, NY; and Robert R. Lauritsen, division manager, St. Paul Technical Institute, St. Paul, MN 93
  Prepared statements of:
    Dr. Jordan (with an attachment) 95
    Mr. Castle 130
    Mr. Lauritsen (with an attachment) 141
Kennedy, Hon. Edward M., a U.S. Senator from the State of Massachusetts, prepared statement 9
Simon, Hon. Paul, a U.S. Senator from the State of Illinois, prepared statement 154
Slaughter, Martha, rehabilitation services supervisor, Southwest Center for the Hearing Impaired, San Antonio, T[illegible] prepared statement 162
Stone, Howard E., Sr., prepared statement 166
Weicker, Hon. Lowell P., Jr., a U.S. Senator from the State of Connecticut, prepared statement 10
Will, Madeleine C., Assistant Secretary for Special Education and Rehabilitative Services, U.S. Department of Education 53
  Prepared statement (with an attachment) 60

ADDITIONAL MATERIAL

Questions and answers:
  Responses of Mr. Bowe to questions submitted by the committee 47
  Responses of Ms. Will to questions submitted to her 58

COMMISSION ON THE EDUCATION OF THE DEAF'S REPORT TO CONGRESS

MONDAY, MARCH 21, 1988

U.S. SENATE,
SUBCOMMITTEE ON THE HANDICAPPED OF THE
COMMITTEE ON LABOR AND HUMAN RESOURCES,
Washington, DC.

The Subcommittee met, pursuant to notice, at 10:22 a.m., in Room SD-430, Dirksen Senate Office Building, Senator Tom Harkin (Chairman of the Subcommittee) presiding.

Present: Senators Harkin, Simon, and Stafford.

Also present: Senator Boschwitz.

OPENING STATEMENT OF SENATOR HARKIN

Senator HARKIN. The hearing on the Commission on the Education of the Deaf's Report to Congress will come to order.

The Subcommittee on the Handicapped is proud to hold this hearing to examine the findings of the Commission on the Education of the Deaf.

Before I focus on this report, I want to say just a few words on the recent events at Gallaudet University. Two weeks ago, deaf students and the faculty showed how to come together and fight for the rights of deaf people.

The day after Dr. Zinser resigned, I wrote to the students and the faculty:

> You have succeeded in educating the world about deafness and that deaf people are entitled to dignity and respect.

[Applause.]

> You communicated your message with force and clarity. Your actions will have a positive impact on future generations of hearing and deaf persons. You have brought the deaf community together around the world. You are my heroes.

[Applause.]

> I look forward to meeting the next President of Gallaudet who I expect will be deaf.

Now, here is the new President, Dr. Jordan, who is deaf, and also the new Chairman, Phil Bravin, also deaf. I welcome you, Mr. President, to this hearing.

[Applause.]

This is a historic event and I am proud to be here with you and with Frank Bowe, the Chairman of the COED, who is also deaf.

Few of you may know that my brother is deaf. I learned sign language when I was growing up, but now I have forgotten many signs because I do not use sign language every day, so I am too slow. [Laughter.]

If I sign more of this speech, we will all be here all day long. [Laughter, applause.]

So I will permit the interpreters to interpret. Thank you.

[Applause.]

I need practice.

Let me please continue and just say how wonderful I think you all are, and I apologize for being late. It is snowing in Virginia, but not here. I tried to come in earlier by car but I had to take the subway, so I apologize.

As I said, this is a historic time. It is a time that the needs of deaf education have come to the forefront. The students and faculty at Gallaudet have shown the importance of supporting affirmative action and promoting deaf role models. At the same time, we cannot turn our backs on hearing individuals who demonstrate a sensitivity and desire to promote independence for deaf persons. We must not communicate to the world that only deaf individuals care about these issues. Many of us care about these issues, so now is the time for hearing and non-hearing Americans to come together, to heal the wounds, and fight for an end to discrimination, and begin a new era of understanding and justice for all citizens with disabilities.

In 1964, Congress passed the Civil Rights Act that prohibited discrimination against all people based on religion, race, sex, or national origin. There was not one word about people with disabilities. Now, almost a quarter of a century later, the time has come for us as a nation to recognize the civil rights of handicapped persons in our society.

[Applause.]

In 1986, the Commission on the Education of the Deaf was established to make a study of the quality of infant and early childhood education programs and of elementary, secondary, post-secondary, adult and continuing education furnished to deaf individuals. Never before had this kind of study been done. The Commission will report today that the status of deaf education in this country is unsatisfactory, and that there is much more we should be doing to promote the independence and productivity of deaf persons.

Today, we will hear from Frank Bowe, the Chairperson of the Commission, as well as from Bill Gainer, Gertrude Galloway, who chaired the Commission's Postsecondary and Adult Education programs, and the pre-college programs, respectfully.

Next, we will hear from Assistant Secretary Madeleine Will, who will comment on the recommendations directed at the Department of Education. Our third panel is comprised of William Castle, from the National Technical Institute for the Deaf, Dr. Jordan of Gallaudet Universary, and Robert Lauritsen, of St. Paul Technical Institute, who will discuss the recommendations of the Commission as they affect postsecondary education for persons who are deaf.

I am pleased you could all be here and I look forward to hearing your testimony. Let me just say at the outset that I want a thorough discussion of this report and the recommendations. I am hopeful that we will not be interrupted by rollcall votes. I also know that Senator Weicker is on his way over and will be here very shortly.

At this point I will enclose the full text of my opening statement as well as statements by Senators Kennedy and Weicker for the record.

[The prepared statements of Senators Harkin, Kennedy, and Weicker follow:]

Opening statement: Senator Tom Harkin

Hearing on the Commission on the Education of the Deaf's report to Congress. March 21, 1988

This hearing will come to order. The Subcommittee on the Handicapped is proud to hold this hearing to examine the findings of the Commission on the Education of the Deaf.

BEGIN SIGNING

Before I speak on this report, I want to say a few words on the recent happenings at Gallaudet University.

Two weeks ago, deaf students showed how to pull together and fight for the rights of deaf people.

The day after Dr. Zinser resigned, I wrote the following (letter) to the students and faculty:

"You have succeeded in educating the world about deafness and that deaf people are entitled to dignity and respect.

You communicated your message with force and clarity.

Your actions will have a positive impact on future generations of hearing and deaf persons. You have brought the deaf community together around the world. You are my heroes.

I look forward to meeting the next president of Gallaudet University who I expect will be deaf."

Now -- here is the new president -- Dr. Jordan -- who is deaf, and chairman Phil Bravin -- also deaf.

I welcome you, Mr. President to this hearing. This is an historic happening and I'm proud to be here with you and Frank Bowe, chairman of the Commission (COED), who is also deaf.

You may know my brother Frank, is deaf. I learned sign language when I was growing up --- but, now I have forgotten many signs because I don't use sign language everyday so I am too slow -- if I sign more, we will be here all day -- so I will permit the interpreter to interpret.

BEGIN SPEAKING

This is a time that the needs of deaf education have come to the forefront. The students and faculty of Gallaudet have shown us the importance of supporting affirmative action and promoting deaf role models. At the same time, we cannot turn our backs on hearing individuals who demonstrate professionalism, sensitivity and a desire to promote independence for deaf persons. We must not communicate to the world that only deaf individuals care about these issues. This is not, nor ever will it be the case. Now is the time for hearing and non-hearing Americans to come together, heal the wounds, and fight for an end to discrimination, and the beginning of a new era of understanding and justice for our citizens with disabilities. In 1964, Congress passed a civil rights act that prohibited discrimination against all Americans based on race, religion, sex or national origin. There was not one word about Americans with disabilities. Now, almost a quarter of a century later, its time we correct this omission. Its time we recognize the civil rights of disabled Americans.

Let me share with you some of the principles that I hope will guide this Subcommittee in is consideration of the Commission's findings.

First, we must reduce the incidence of conditions causing hearing impairments by identifying the causes of and risk factors relating to deafness.

Second, we must end discrimination in what ever form it may be found. If we find discrimination at the finest liberal arts college for deaf persons, which has only 4 deaf members on the Board of Trustees, it must be addressed. If we find discrimination through a lack of adequate captioning services, this must be addressed also.

Another principle has to be education. Quality education must start at the earliest possible age and extend into elementary, secondary, post secondary, continuing and adult education.

Finally, we must must make sure deaf Americans have equal employment opportunities. These must be our goals: research, prevention, nondiscrimination, education and employment.

Last year, the Commission on the Education of the Deaf was established by Public Law 99-371 to make a study of the quality of infant and early childhood education programs and of elementary, secondary, post-secondary, adult and continuing education furnished to deaf individuals. Never before has

Congress commissioned this kind of comprehensive study of education--so today's announcement of their findings is truly an historic event. The Commission will report that the status of deaf education in this country is unsatisfactory, and that there is much more we should be doing to promote the independence and productivity of deaf persons.

Today we will hear from Frank Bowe, the chairperson of the Commission on the Education of the Deaf, as well as from Bill Gainer and Gertrude Galloway who chair the commission's postsecondary and adult programs committee and the Precollege Programs committee respectively. Next, we will hear Assistant Secretary Madeleine Will comment on the recommendations directed at the Department of Education. Our third panel is comprised of William Castle from the National Institute for the Deaf, King Jordan of Gallaudet University, and Robert Lauritsen of St. Paul Technical Institute who will discuss the recommendations of the Commission as they affect post secondary education for persons who are deaf. I am pleased you all could be here and I look forward to hearing your testimonies.

STATEMENT OF SENATOR EDWARD M. KENNEDY ON THE COMMISSION OF THE DEAF REPORT

I would like to thank the Chairman of the Handicapped Subcommitte, Senator Tom Harkin, for holding this hearing today.

The report the Subcommittee will be reviewing today represents a year of extensive work by the Commission on the Deaf. The ideas and issues presented in this report fulfill the requirement set forth by Congress in the Education of the Deaf Act. This report will bring the United States Congress up to date with the recent philosophies, ideas and needs pertaining to the education of the deaf.

In my view, this report represents a clear and concise framework by which the Congress can further study the needs of our nation's deaf population in the areas of education, employment and research. Throughout my 25 years in the Senate I have witnessed the progress Congress has made in establishing programs to meet the needs of our nation's disabled citizens. And while many of us in Congress are proud of our record in this area, we realize that there is still much to be accomplished. The Commission on the Deaf report provides Congress with a solid set of recommendations for change and progress, and I am grateful for their guidance.

It is especially timely that this hearing comes on the heels of the recent events at Gallaudet University. The victory by the students and faculty at the school will be remembered as one of the landmark events in the disability movement in the United States. I. King Jordan's appointment does more to highlight and advance the causes and rights of the deaf movement in our nation than any multi-million dollar public relations campaign could have ever succeeded in doing.

I am pleased with the Commission of the Deaf's report, and I hope the Congress will seriously consider the recommendations put forth in today's hearing.

OPENING STATEMENT OF SENATOR LOWELL P. WEICKER, JR.
HEARING ON THE REPORT OF THE
COMMISSION ON EDUCATION OF THE DEAF
MARCH 21, 1988

WE CONVENE TODAY TO EXAMINE THE REPORT TO CONGRESS BY THE COMMISSION ON EDUCATION OF THE DEAF. I LOOK FORWARD TO HEARING FIRST FROM THE MEMBERS OF THE COMMISSION AS THEY SHARE WITH US THE FINDINGS OF THEIR REPORT, AND THEN TO THE COMMENTS ON THOSE FINDINGS BY THE WITNESSES WHO WILL FOLLOW.

I WOULD ALSO LIKE TO TAKE THIS OPPORTUNITY TO COMMEND THE COMMISSION FOR ITS EFFORTS TO PUT TOGETHER A COMPREHENSIVE REPORT, AND FOR GETTING THAT REPORT TO CONGRESS ON TIME, WITHIN BUDGET. I KNOW OF FEW COMMISSIONS THAT CAN MAKE THAT CLAIM.

WE ARE ALL AWARE OF THE MONUMENTAL CHANGES THAT HAVE TAKEN PLACE IN THE FIELD OF EDUCATION FOR DEAF AND HEARING IMPAIRED INDIVIDUALS SINCE THE BABBIDGE COMMISSION REPORT IN 1965. YET THESE ADVANCES WOULD NOT HAVE BEEN MADE WERE IT NOT FOR THE DEDICATION OF RESEARCHERS AND EDUCATORS, AND THE RIGHTFUL INSISTENCE BY DEAF INDIVIDUALS THAT THEY NOT BE LEFT ON THE SIDELINES AS THE MARCH TOWARD EQUALITY FOR THOSE WITH DISABILITIES HAS MOVED FORWARD. OVERCOMING THE COMMUNICATION

BARRIERS WHICH CONFRONT DEAF INDIVIDUALS REQUIRES A CONTINUED COMMITMENT FROM ALL OF US TO ENSURE THAT DEAFNESS NEED NOT IMPEDE ONE'S FULL PARTICIPATION AND INTEGRATION INTO SOCIETY.

AS MEMBERS OF CONGRESS, WE SHARE THE RESPONSIBILITY FOR ENSURING QUALITY EDUCATIONAL PROGRAMS FOR DEAF INDIVIDUALS. BUT, RECOGNIZING THAT WE ARE NOT EXPERTS IN ASSESSING WHAT MUST BE DONE TO ACCOMPLISH THAT GOAL, WE TURNED TO YOU FOR ADVICE. THE INFORMATION AND RECOMMENDATIONS THAT YOUR REPORT PROVIDES WILL ASSIST US TO MAKE INFORMED DECISIONS ABOUT THE FUTURE OF FEDERAL SUPPORT FOR EDUCATIONAL PROGRAMS FOR THE DEAF IN THIS COUNTRY.

OF PARTICULAR IMPORTANCE ARE SEVERAL AREAS WHICH WE WILL HEAR MORE ABOUT IN TODAY'S TESTIMONY, SUCH AS THE APPLICATION OF THE LEAST RESTRICTIVE ENVIRONMENT REQUIREMENT, THE ADVISABILITY OF EXPANDING FEDERAL SUPPORT TO POSTSECONDARY EDUCATION, THE ROLE AND IMPACT OF RESEARCH AT GALLAUDET AND NTID, AND THE APPLICATION OF TECHNOLOGY TO IMPROVE COMMUNICATION--WHICH I'M PLEASED TO SEE IS VERY MUCH IN EVIDENCE HERE TODAY.

FINALLY, I WOULD LIKE TO SAY HOW PLEASED I AM THAT WE HAVE WITH US TODAY THE FIRST DEAF PRESIDENT OF GALLAUDET UNIVERSITY IN ITS PROUD, 124-YEAR HISTORY. THE EVENTS OF THE LAST SEVERAL WEEKS SERVE TO REMIND US ALL OF WHAT DISABLED INDIVIDUALS CAN

ACCOMPLISH WHEN THEY SHARE AN UNWAVERING COMMITMENT TO ACHIEVING A COMMON GOAL. WELCOME, DR. JORDAN, AND MY CONGRATULATIONS TO THE STUDENTS AND FACULTY OF GALLAUDET.

I LOOK FORWARD TO HEARING THE TESTIMONY FROM ALL OUR WITNESSES THIS MORNING, AND TO CONTINUING TO WORK WITH YOU TO ENSURE EQUALITY OF OPPORTUNITY FOR ALL OF THE DEAF AND HEARING IMPAIRED CITIZENS OF THIS NATION.

Senator **Harkin**. Senator Stafford.

OPENING STATEMENT OF SENATOR STAFFORD

Senator **Stafford**. Mr. Chairman, I am pleased to join you today at the subcommittee's hearing on the report of the Commission on the Education of the Deaf.

I would like to commend you, Mr. Chairman, for your fine leadership defining a productive Federal role in the education of hearing impaired and deaf individuals. I would also like to thank the Commission for its diligent work over the last eighteen months. The report we have before us today is testimony to the effort put forth and to the commitment of the Commission to improving education for deaf individuals of all ages.

In the mind of this Senator, our country cannot afford to lose the talents of a single deaf or hearing impaired individual. Yet there are approximately 100,000 deaf Americans who cannot qualify for postsecondary education. Many individuals who graduate from high school do so without sufficient reading skills to get the kinds of high quality jobs they deserve. Not only is this loss of precious national resources alarming, but the personal costs to underachieving deaf and hearing impaired individuals is beyond calculation.

The work of the Commission was undertaken to give direction to national education efforts. In its report, the Commission addresses pressing issues facing the deaf community, educators and the American public. Recommendations deserve serious consideration and thoughtful action. Any forthcoming Federal action must put in place the kinds of programs which assure deaf children and adults an opportunity to develop their potential.

I am encouraged by the work of the Commission, and I believe the members of the subcommittee and the citizens of our Nation will benefit greatly from today's hearing. Again, I want to recognize the effort which has gone into this fine report. I also want to extend my appreciation to witnesses who have come here today to contribute to this important hearing.

The quality of education offered to deaf individuals must be the best this Nation can provide. With the efforts of members of the deaf community, educators and a concerned public, that goal can be achieved. To this end, I look forward to today's testimony and to exploring promising possibilities for future action.

Senator **Harkin**. Let me call the first panel: Frank Bowe, Chairperson of the Commission, Gertrude Galloway, and William Gainer, would you all please come up.

I want to thank you all for being here this morning. I welcome all of you here. I would ask that you keep your comments to maybe 7 minutes so that we can have some questions and answers.

Okay. I will first recognize Mr. Bowe, Chairperson of the Commission.

STATEMENTS OF FRANK G. BOWE, CHAIRPERSON, COMMISSION ON THE EDUCATION OF THE DEAF; GERTRUDE S. GALLOWAY, CHAIRPERSON, PRECOLLEGE PROGRAMS COMMITTEE; AND WILLIAM GAINER, CHAIRPERSON, POSTSECONDARY AND ADULT EDUCATION PROGRAMS COMMITTEE

Mr. BOWE. Thank you, Senator. I want to thank you for making that remarkable opening statement and making it in our language. I am going to try to return the favor by speaking in your language.

Senator HARKIN. Okay.

Mr. BOWE. As you correctly pointed out, the events at Gallaudet last week called the Nation's attention to paternalism, condescension and control over the lives of people who are deaf. We, the Commission, found similar paternalism in many other places in the United States.

Our report focuses not only on Gallaudet but on the Nation. We found some very serious concerns and problems that we want to surface today. Let me begin by just commenting that the Commission engaged in fairly extensive consultations. We held hearings around the Nation, we published our first thoughts, our draft recommendations, and we solicited comments on those from throughout the Nation, particularly from the programs that would be affected by those recommendations. We heard from thousands of people, we had thousands of reports and documents, and we received comments on every recommendation we made.

We conclude that the state of the art in deafness education today at all levels is unsatisfactory. It is unsatisfactory because we still have deaf high school graduates reading at or below third-grade reading levels. It is unsatisfactory because fewer than one-third of the major network television programs are captioned, and very few other programs of any kind are captioned. It is unsatisfactory because Federal funds are distributed in such a way that we believe they are not meeting the most pressing needs.

We made recommendations not so much for massive new Federal funding but for some shifts and changes in the way those funds are distributed.

We find that the Congress itself must share in the blame for this unsatisfactory state of affairs. The Congress has created programs, it has funded them year after year but it has not watched them, it has not monitored them, it has not evaluated them, and it has not guided them along a better path. We believe that you need to watch over your creations, and if you do not, that the Education Department must assume a much more vigorous oversight role than we currently see on your behalf.

We strongly recommend that "quality" in special education be a key word for the next decade. Education of deaf people has been happening since 1817. Those of us who are deaf have had access to some kind of education but it has not been a good one and it is not getting better. We strongly recommend that your next step beyond Public Law 94-142 be quality education. We are very deeply concerned that we cannot accomplish that now, because under 142 we are limited by the terms of the Supreme Court's *Rowley* decision; that decision said that "appropriate"—which is the most important word in Public Law 94-142—means only basic, minimal, good-enough services. To go beyond that, I believe we will need new legislation.

I want to conclude my opening comments by saying that one of the things we recommend is that the Education Department have an office focused on deafness to do the oversight we are talking about, to fund the training of professionals, interpreters, educators and counselors, to handle the many things that need to be done.

We do not talk in our recommendations of where that office should be and how it should be structured, that is not our business. That is properly left to the Education Department. However, after the events at Gallaudet, we feel that the Education Department will want to "pull a Zinser" by appointing a hearing person to head that office. I do think it would be appropriate to give very serious consideration to a deaf person to lead that effort in the Education Department.

We had an extensive consultation process in the precollege area. "Pre-college," for us, is everything that happens prior to college. That effort was headed very ably by Ms. Gertrude Galloway. I would like now to turn to her, with your permission.

Thank you very much.

Senator HARKIN. Thank you very much, Mr. Bowe.

Ms. Galloway.

Ms. GALLOWAY. Thank you, Frank.

As you know, education of the deaf started in this country over 150 years ago. Maybe it was the best thing that ever happened to my deaf grandparents. They were able to get a decent education. They went to schools for the deaf in Virginia and in New York, and they were able to have their own farm, to raise seven deaf children, one of them was my mother.

The education of the deaf since then has not progressed as fast or as well as it should. I think the recent incident at Gallaudet University is significant to indicate that we need to involve more deaf people. It would be remiss of me if I did not mention the fact that some members of the Commission are in full support of what the students and faculty and staff have been doing at Gallaudet University in its recent fight for a deaf President.

I would like to add that we are very proud of them and we look at them for continuing our heritage and continuing to make a better world for deaf people in the next generation.

Our report opens with an introduction entitled "The Present Status of Education for Persons Who Are Deaf in the United States." It is unsatisfactory, like Frank said. It is true in preschool, in elementary school, and in secondary education for many children who are deaf. The Education for the Handicapped Act emphasized the goal of appropriate education for each handicapped child, but after hearing from numerous parents, educators, and so forth, we found that many deaf children are receiving inappropriate education or no education at all, that very same problem that promoted passage of the EHA in the first place.

Many school districts are not doing their job. Neither does the United States Department of Education. Our report includes numerous findings and recommendations that we feel are very crucial. The first and important finding is the special needs of deaf children are constantly neglected. We call for a Federal policy that makes up the unique needs of all significant and relevant factors that make up the unique needs of a child who is deaf in the development of appropriate education for that child.

The least restrictive environment concept has not been appropriately applied by the Federal, State and local educational agencies for children of the deaf. We find that many placement decisions were made in no regard for potential harmful effects on the child or the quality of the education being provided.

The United States Department of Education recently announced that the least restrictive environment is the "core value" which leads to confusion and misinterpretation about the primary provision of appropriate education. The Department of Education should emphasize appropriateness over least restrictive environment by issuing guidelines and standards for exceptions to the LRE requirements and policy interpretation that removing a child from a regular classroom does not require compelling evidence.

In educational placement decisions, parents are often treated as limited partners. The law says that parents are equal partners and we have not seen that happen so far. We have heard from many parents who are concerned and feel that their partnership has not really been treated as equal, so the Department of Education should issue a policy that requires school personnel to inform parents of all options in the continuum of alternative placement during their IEP meetings.

We also have four major recommendations in the field of elementary and secondary education. The first is that the Supreme Court, in the *Rowley* case, limited the extent to which excellence may be pursued under the EHA. We believe that it is time for the next step—a new Act that promotes excellence, that rewards quality and that provides States incentives to develop better programs.

The second, with regard to the language acquisition, most children become deaf before acquiring spoken language experience serious difficulties in acquiring English skills. Thus, acquisition of language should be a top priority in Federal funding.

Third, the native language of many deaf persons, American sign language, ASL, plays a vital role in the education of many children who are deaf. However, the Department of Education has not recognized ASL as one of the native languages for the purpose of the Bilingual Education Act, thus the deaf children have not had access to many programs that could potentially benefit them. Therefore, the Department of Education should take positive steps to encourage practices under the Act to include limited English proficiency children whose native language is ASL.

Fourth, Kendall Demonstration Elementary School and the Model Secondary School for the Deaf were established as model pre-college programs to simulate program improvement throughout the country. Educators currently stated that they need programs and products directed to the special sub-groups within the deaf student population and their families. These special groups include students who have secondary handicaps, who are low-achieving academic students, and who are from non-speaking English homes and members of minority groups.

The Congress should therefore amend the Education of the Deaf Act to establish priorities at KDES and MSSD which are congruent with the current needs.

Thank you.

Mr. **Bowe**. Thank you.

Mr. Chairman, with your permission I would like to introduce Bill Gainer. Mr. Gainer headed our investigation of the postsecondary education of people who are deaf, and that includes everything past high school.

Mr. Gainer.

Mr. **Gainer**. Thank you.

In the two decades since the 1965 Babbage Report, which was the last major look at deaf education, a remarkable change has taken place in postsecondary education, with a nearly 2000-percent increase in the number of students attending postsecondary education.

There are now more than 145 programs that serve undergraduate and graduate students in postsecondary education. However, even though those changes brought about primarily because of congressional action, through section 504 and through the special funding of institutions of higher education for children who are deaf, have been remarkable, there are still problems.

Our recommendations in the postsecondary area relate to three different sets of individuals. First, those children who are college-bound and should attend higher educational institutions; second those for whom the public school systems have failed and who need another alternative which is not now available, and those who have been successful in school but do not have the access to continuing adult education, which is extremely important to people in their later careers.

The first set of recommendations I would like to talk about are those on the regional postsecondary centers which are funded by the Department of Education. Those centers are located in various parts of the country. However, we believe that those programs need to be strengthened for the following reasons:

First, many of the section 504 programs are too small and have inadequate support services and are really not serving deaf youth the way they should. We have a very high dropout rate for deaf students in postsecondary education, and we think a lot of that results from either poor preparation before they get to college—that is a failure of the public school system, or the inadequate support services they receive when they get there.

By strengthening these postsecondary programs which are funded by the Federal Government, we believe that those support services could be improved, that students could have access (throughout the country) to a variety of academic programs, including those at the baccalaureate, level to vocational training, and to two-year associate programs, as well as adult continuing education after they complete their education. These charges are extremely important to round out the programs at the postsecondary level.

Many of the unsubsidized programs that serve youth under section 504 do not provide adequate support services. Many of the programs are extremely small and probably cannot afford to provide adequate support services without additional funding, so our belief is that by strengthening the six federal programs that are now in existence, Gallaudet, NTID, and the four regional postsecondary programs, you will be able to provide better educational choices to deaf youth. We also think that a fifth center should be established in the Southwest.

Probably more important then the college bound is that group of individuals that is now poorly served or not served at all by the educational system. It is estimated that there are probably 100,000 adults in the country who are not fully or adequately employed, or who have no saleable skills in the job market. Those individuals, as I said, have been failed by the public school system, they are not appropriately enrolled in college and when they do go on after high school, they often drop out. There is then no place else for them to turn.

We made a recommendation which is considered controversial by some, that 10 regional centers need to be set up for rehabilitation of these individuals. We think that is an extremely important gap in the educational system that needs to be plugged. We do not know what the cost would be, but we think it is something that the Congress should very seriously consider. We believe that it would be cost-effective to do so.

The reason is that, it has been estimated that perhaps 60 percent of these low-achieving adults could succeed in the job market and become self sufficient if they had the kind of training needed, thus saving welfare funding. It is not just a matter of funding. There are rehabilitation funds, Pell Grants, student aid of all kinds that might be available to these individuals. However, the market has not responded with service providers that can give them the rehabilitative (including communication training) and vocational services that they need.

In terms of adult continuing education, one of the most compelling arguments we heard during our hearings was that deaf people who are successful in college go on to become stymied in midcareer, and we think a major reason for that is that continuing education of all sorts is not readily available to the deaf. Many corporations have their own training programs for technical topics, management, leadership and other purposes, but that training is generally not accessible also when it comes to the deaf. The availability of such services is generally limited through other schools and we think the postsecondary programs as well as Gallaudet and NTID can play a stronger role in providing continuing education within their broad geographic areas.

Finally, we made recommendations which I suppose everybody is aware of now, given the events at Gallaudet. We believe that the Board of Directors at Gallaudet should be composed of at least 51 percent hearing-impaired individuals, and we believe that NTID and the other regional postsecondary institutions, whatever their governing or advisory boards, should have that same makeup. We also believe that these institutions should continue to do everything they can to put deaf individuals in positions at all levels in those institutions among both their staffs and faculties.

Finally, Frank mentioned the need for increased oversight, and that the related recommendations came out of our subcommittee. We believe strong federal oversight and periodic evaluation is extremely important, if these institutions are going to continue to change with the times and not become rooted in the past, as we believe certain of their practices may have become.

In terms of research which was also covered by our committee, we believe that a National Center on Deafness Research should be funded through Gallaudet University, and that much more of the research money that is now spent through Gallaudet and NTID should be competitive and available to any qualified research center throughout the country.

By and large, I think the recommendations in the postsecondary area, although they might result in some additional spending, could also result in great savings because of the substantial dropout rates that we experience in the Federal programs, because much of the education there is now inappropriate, and because improved rehabilitation and education would result in less dependency among deaf adults.

We also had a joint committee which covered a number of other important topics, and Dr. Bowe is going to summarize the recommendations from our joint committee.

Mr. BOWE. Thank you.

The joint committee, which was comprised of—looked at technology and got very excited about the potential. You are seeing some of that here today. We have real time captioning that is actually shooting out what we are saying while we are saying it. That can happen today.

We talked about the television captioning that we see in our homes, that remarkable technology that can help not only people like myself but people who are new arrivals in our country who are just learning English as a second language. It can help fairly young children with perfect hearing who are just begging to learn how to read and, as a parent myself, I know I get concerned when my children watch cartoons on Saturday morning, but if they are watching them with captions they are learning something. [Laughter.]

Captioning could also help to eradicate illiteracy, which is one of the biggest problems in our country. However, captioning today that is not being used for very many, if any, of those purposes. Most of the 150,000 homes that have a decoder have them because someone like myself lives there.

We also saw that computers now can speak as well as or better than I can. Computers today can hear, and some day very soon, within five to ten years, they will be able to hear the radio, television, or telephone and print out what it says. This technology is extremely exciting, because it means that someone like myself plus a machine together, we are not deaf. However, there is a catch—I have to be able to read. If I can read, I could open up the entire world, but only if I can read.

Today, children and young people who are deaf are not able to read well enough and we are deeply concerned about this.

Finally, let me say that the members of this Commission were selected by the Senate, four of us by the Senate, four by the House, three by the President, and one, the gentleman sitting beside me, by the Comptroller General. Sixty-seven percent of us are deaf or hearing impaired, two-thirds.

We appointed as our top executive staff members two people who themselves were born deaf, and the woman on my right, Pat Johansen, is our Staff Director, and the man on my left, Bob Mather, is our Staff Counsel, and both of them are just as deaf as I am, however a whole lot smarter. [Laughter.]

I would like to conclude by thanking you for this opportunity and to say that we would be very pleased to take any questions you may have.

[The prepared statement of Mr. Bowe follows:]

TESTIMONY PRESENTED TO THE

SENATE SUBCOMMITTEE ON THE HANDICAPPED

MARCH 21, 1988

by the

COMMISSION ON EDUCATION OF THE DEAF

Frank G. Bowe, Commission Chairperson

Accompanied By:

Gertrude Galloway, Chairperson, Pre-College Committee

William Gainer, Chairperson, Postsecondary Committee

INTRODUCTION

Good morning. I am pleased to be here, representing the Commission on Education of the Deaf, which the Congress created in August 1986 [PL 99-371] and charged with making a report on education for people who are deaf — at all levels, for all ages, in all forms and media.

Joining me this morning at the table are William Gainer, Chairperson of our Postsecondary Programs Committee, and Gertrude Galloway, Chairperson of our Precollege Programs Committee.

I am pleased to tell you that we completed our work on time and on budget. Our report, Toward Equality: Education of the Deaf, is the basis of today's hearing. Our twelve members — nine appointed by the Senate, four by the House of Representatives, three by the President, and one by the Comptroller General — worked hard to achieve this result. Our staff did a superb job in supporting us, and I thank them.

The events at Gallaudet University last week drew attention to deafness here on Capitol Hill, across the nation, and all over the world. The students, faculty, staff, alumni and friends of the University accomplished much that is important, both on campus and elsewhere.

Our report includes recommendations for Gallaudet. But it goes far beyond Gallaudet. We find that in preschool, education, in media and technology, and in research, we as a nation just are not doing the job. Our report includes specific recommendations for you in Congress, and for the Executive Branch, suggestions that, if implemented, can produce a quantum leap in educational quality and opportunity for deaf Americans.

You gave us a lot of work to do. The questions we asked — in five public hearings from Seattle to Santa Fe to Minneapolis to Atlanta and Washington, D.C., and in a Notice of Inquiry published in the Federal Register — were those you told us were most important — in elementary and secondary education, in media and captioning, in postsecondary education, and in adult education and literacy.

We made an extraordinary effort to involve deaf consumers, parents, educational administrators, educators, rehabilitation program administrators, interest groups, and others in all of our work. In February last year, we held a public forum in Washington at which we heard from representatives of the Department of Education, Gallaudet University and its model schools, the National Technical Institute for the Deaf in Rochester, the Association for Retarded Citizens and other organizations interested in special education generally, as well as Deaf Pride and other organizations and individuals interested especially in minority groups and parents, professionals, and consumers. Four other forums followed, in which we heard from all of the federally funded postsecondary programs, from many educators and special school administrators, organizations representing parents and consumers, and others.

We published a list of questions that emerged from these sessions in the Federal Register and circulated thousands of copies. The response was tremendous. As our work continued, we published our preliminary findings and draft recommendations, again circulating copies nationwide. When one or more of our draft recommendations might affect a program — Gallaudet, for example — we also sent a "letter of inquiry" calling their attention to the draft recommendations and specifically requesting input.

We received many thousands of pages of comments from individuals and programs from coast to coast. From Gallaudet alone, we received well over 1,000 pages of documents. The Education Department provided letters responding, point by point, to our draft recommendations in addition, we heard testimony from Mrs. Will, the Assistant Secretary, and from the Deputy Assistant Secretary, for OSERS in the Department.

We also researched the literature in special education, adult education, and deafness, ultimately citing some 100 primary sources of data. We performed demographic and technical analyses to supplement those sources.

We carefully considered these comments to shape the report you now have. Because of this very open process, we are not only able to present to you our recommendations, but we are also in a position to predict how they will be received when you act on them. It is difficult for me to imagine how we could have operated a more open and fair process.

Let me turn now to our principal findings.

We found, generally, that the Congress has done much to create needed programs, and to fund them each year. The Congress has not, however, provided sufficient guidance, nor have you or the Department of Education exercised enough oversight to keep those programs on track. Largely because of that, we found that the state-of-the-art in education of people who are deaf is unsatisfactory. The roots of the problem are in the preschool, elementary and secondary years. The Precollege Programs Committee chaired by Gertrude Galloway addressed and made recommendations in these areas.

PRE-COLLEGE

In formulating our recommendations toward equality for preschool, elementary, and secondary students who are deaf, we have studied, discussed, and debated at length what we might propose to effect the greatest possible good in a maximally feasible way. The result of our deliberation is a set of recommendations which require neither legislative reversals nor substantial funding increases. Rather, the recommendations we seek to implement balance support and expansion of the fundamental concept of appropriate education with clarification of the "least restrictive environment." They emphasize facilitating English language acquisition while respecting the position of American Sign Language. They maintain a role for Gallaudet University's model programs while establishing improved priority-setting and reporting procedures. In addition, they advance significant prevention and early identification efforts.

Appropriate Education

Since the 1965 Babbidge Report, the most important federal legislation affecting the education of children who are deaf has been the Education for the Handicapped Act, or EHA, which sought to assure all handicapped children a free, appropriate public education. Despite the EHA, we heard from hundreds of parents and educators who told us that many children who are deaf do not receive special educational and related services appropriate to their unique needs. The low incidence of deafness, coupled with its unique ramifications, means that the needs of these children are easily and frequently neglected. The common-sense solution for remedying past negligence requires, logically enough, that persons responsible for designing individualized education programs take into consideration factors such as the deaf child's severity of hearing loss, potential to use residual hearing, academic level and learning style, communicative needs and preferred mode of communication, linguistic, cultural, social, and emotional needs, placement preference, individual motivation, and family support.

Least Restrictive Environment

Another problem that has arisen related to EHA is widespread misinterpretation of the "least restrictive environment" concept. Too often deaf children have been placed in improper educational settings because educational agencies have prioritized placement with nonhandicapped students in the "least restrictive environment" above placement which is most appropriate for the individual child. These priorities must be reversed and the Department of Education should emphasize appropriateness over least restrictive environment by issuing guidelines and standards for exceptions to the least restrictive environment requirements and a policy interpretation that states that removal from the regular classroom does not require compelling evidence.

It may very well be that for many children born deaf, intensive, special instruction in language particularly, taking full advantage of Part H of PL 99-457, and using to the maximum extent appropriate the expert resources of center schools, is the approach of choice in the early childhood years. After such immersion, many will be ready for successful academic schooling, some in direct competition with students whose hearing is not impaired. This is one reason, among many, why special schools, and the federal government should nurture them as part of a spectrum of services needed to implement the EHA and its regulations.

Additionally, children who are deaf need accurate educational evaluation and assessment by professionals who understand their unique needs and can communicate effectively. Parents with deaf children need assistance from educational agencies to remain informed about all educational placements options for their children. Special schools or classes for deaf students need program standards by which to assess their ability to meet deaf student's needs. The Department of Education can take action, as recommended in our report, to meet these basic needs. Moreover, a "Quality in Deaf Education" bill should be approved by Congress to provide incentives to enhance the quality of services to students who are deaf.

Language Acquisition

With regard to language acquisition, most children who become deaf before acquiring spoken language experience serious difficulties and delays in acquiring English language skills. A child without a strong language and communication base faces barriers that often lead to further educational problems. For example, the educational system has not been successful in assisting the majority of students who are deaf to achieve reading skills commensurate with those of their hearing peers. Thus, language acquisition must be a top priority in federally funded research. The Congress and the Department of Education should ensure that the paramount concern of facilitating English language acquisition in students who are deaf (including vocal, visual, and written language) guides the implementation of exemplary practices, the establishment of program models, the design of curricula, materials, and assessment instruments, and the provision of professional and parent training.

American Sign Language

The native language of many persons who are deaf, American Sign Language, or ASL, also plays a vital role in the education of many children who are deaf. However, a bureaucratic gap exists between the protection afforded to members of minority groups who use a language other than English and the protection granted to students who are deaf and use ASL. The Department of Education has not recognized ASL as one of the native languages for the purposes of the Bilingual Education Act and thus deaf children have not had access to many of the programs which could potentially benefit them. The

Department of Education should take positive action to encourage practices under the Bilingual Education Act that seek to enhance the quality of education to limited-English-proficiency children whose native language is ASL.

Kendall Demonstration Elementary School

Model Secondary School for the Deaf

The Kendall Demonstration Elementary School (KDES) and the Model Secondary School for the Deaf (MSSD) were originally established at Gallaudet University as model pre-college programs to prepare deaf students for advanced study and to stimulate program improvement nationwide. However, many elementary and secondary programs nationwide are now successfully preparing academically oriented deaf students for advanced study. Educators currently state that they need programs and products directed toward other special subgroups within the deaf student population and their families. These subgroups include students who have secondary handicaps, who are lower achieving academically, who are from non-English speaking homes, and who are members of minority groups. The Congress should therefore amend the Education of the Deaf Act to set priorities at KDES and MSSD which are congruent with current needs.

The pre-college programs themselves should also submit an annual report to the President and to Congress which lists the critical needs of the population they serve, describes their programs and activities to meet those needs, and evaluates their effectiveness. Before reauthorization, or at least every 5 years, the Department of Education liaison office should coordinate the formation of an independent evaluation team to provide an objective assessment of the progress of the pre-college programs in meeting the identified critical needs and to delineate the critical needs to guide the programs during the next funding cycle.

Prevention and Early Identification

Finally, strategies to prevent and identify hearing losses can be dramatically improved. This can be accomplished through the establishment of a National Institute on Deafness and Other Communication Disorders, within the National Institutes of Health, to provide an essential research base to investigate the causes, diagnosis, detection, prevention, control, and treatment of hearing impairments. Simultaneously, the Department of Education, in collaboration with the Department of Health and Human Services, can issue guidelines to assist states in implementing improved screening procedures which would allow up to 75 percent of newborn babies with severe hearing impairments to be identified at an early age.

With respect to postsecondary education, Bill Gainer's committee led an extensive effort by the Commission to examine the problems and to propose solutions.

POSTSECONDARY

In the two decades since the 1965 Babbidge Committee Report was released, we have witnessed a phenomenal growth in the number of postsecondary educational programs for students who are deaf. In 1960, for example, Gallaudet University (then called Gallaudet College) enrolled approximately 300 students with another 100 students attending other higher education programs scattered throughout the nation. Today, by contrast, nearly 150 programs educate over 7,000 deaf students.

We can be proud of this growth which was sparked by a remarkable piece of legislation---Section 504 and other parts of the Rehabilitation Act of 1973. But although this has provided young deaf people with much wider choices, it turns out that few of the new programs actually offer the range of support services implied by the Act.

Congress has funded numerous programs at the postsecondary level--Gallaudet University, the National Technical Institute for the Deaf, and four regional programs in California, Minnesota, Tennessee and Washington State. Many of the students who attend these schools, as well as the other programs, are clients of the state-federal vocational rehabilitation programs. The federal government does much more for these higher-achieving deaf students than for those whom the nation's schools have failed. Gallaudet University and the National Technical Institute for the Deaf receive 97 percent of the federal funds set aside to educate postsecondary deaf students, and they educate about half of the nation's deaf college students. The remaining funds go to four regional programs that struggle to provide postsecondary services to roughly 600 students with a half million dollars for each program. The other 140 programs, which are housed in non-specialized higher education institutions, receive no direct federal subsidies for educating the other half of the population of deaf college students.

Many students, parents, and educators told us that most deaf students prefer to stay close to home to receive a college education. Yet the four regional programs cannot always satisfy this preference because their host institutions do not offer a full range of curriculum choices and the smaller unsubsidized programs generally provide inadequate support services because they often do not have a "critical mass" of students to justify such an expenditure.

Regional Programs

We propose that increased funding go to the regional programs to enable them to provide a full range of curriculum offerings from 2-year technical, to 4-year baccalaureate and continuing education programs within the metropolitan areas where they are centered. This recommendation would help correct the inadequate funding for the regional programs allowing them to offer programs with both comprehensive support services and more complete academic choices.

We also recommend that, (1), that a fifth regional program be established in the southwest region of the United States to fill what we felt was a geographical gap in the current regional programs; and, (2), that a 5-year funding cycle replace the current 3-year cycle to permit greater program continuity and more stability for administrators, faculty, staff, and students. The host institutions of the regional programs should also drop out-of-state tuition requirements, which discourage equal access to these federally assisted programs.

Comprehensive Service Centers

Though, I have focused so far on higher education, my committee was particularly distressed with the severe lack of vocational training opportunities for an estimated 100,000 deaf Americans across this country who are unemployed or seriously underemployed because we have failed as a society to educate them. After these students fail in school, their only recourse is vocational training. But, here again, we fail them. Notwithstanding the existence of small specialized programs in some localities, we have virtually no federally-funded comprehensive rehabilitation centers for low-achieving deaf persons. This population is, therefore, poorly served. Meanwhile, declining enrollments and the absence of other alternatives for vocational training tempt some colleges to admit these individuals. The likelihood of this phenomenon is supported by the high drop out rate for deaf postsecondary students--- 71 percent for baccalaureate candidates in 1985. But, given proper training, it is estimated that more than 60 percent of individuals who are now unsuccessful in the labor market could obtain gainful employment.

We find spending $73 million to educate fewer than 4,300 deaf college students while providing no adequate facilities for 100,000 Americans who may not be college material but could very likely succeed in the workplace, is economically foolish. Therefore, we recommend the establishment of comprehensive service centers in each federal region. Each center would provide a full complement of services, ranging from initial vocational evaluations, to appropriate vocational training, to carefully-considered job placement and follow-up. Although these individuals qualify for job training programs, vocational rehabilitation, student aid and other programs, there are generally no facilities capable of serving them because of their limited educational progress and communication problems. We firmly believe a substantial federal investment in the vocational training of this population would be more than returned as these individuals find jobs and achieve a greater degree of independence in our society.

Federal Oversight

Finally, we propose several recommendations that we believe will enhance the quality of the federally-funded postsecondary programs while making possible some cost savings. First, we believe the Department of Education should take a more active role in the oversight and evaluation of the federal programs. We ask that an office within the Education Department be staffed by experts on deafness who can manage the grants and other programs at Gallaudet, NTID, the four RPEPDs, and MSSD and KDES; who can supervise interpreter, educator and rehabilitation counselor training programs; and who can coordinate independent evaluations of all these programs on a periodic and systematic basis, reporting to the Congress. We did not speak, in that recommendation, to any particular organizational structure or placement. It is the function that concerns us -- that the work be done.

Admission Policies

Gallaudet has in recent years admitted some baccalaureate students who are not deaf. The Congress should advise the university to discontinue this practice: federal funds should not be used to subsidize the college education of students who are not handicapped. Gallaudet's student body today is 10 percent foreign; NTID does not now admit foreign deaf students, but would like to begin doing so. By our calculations, the federal government spends about $2 million annually to subsidize the education of foreign deaf students at Gallaudet. That is the amount that Congress pays to support all four of the regional programs. Therefore, we recommend that admission of foreign students to Gallaudet and NTID be limited to no more than 10 percent of the students body at either institution, and that foreign students, or their governments, pay the bulk of the costs.

Deaf People in Policy-Making Positions

Finally, we offer two postsecondary recommendations related to the extraordinary events we have all witnessed these past two weeks at Gallaudet. We firmly believe that the federally-supported national and regional programs should be guided to a significant extent by the people these institutions are designed to educate. To that end, we recommend that a majority of the governing and advisory boards of Gallaudet, NTID, and the regional programs be comprised of individuals with hearing impairments. We also encourage the federal programs to redouble their efforts to recruit, hire, and promote qualified deaf applicants and employees.

We want to observe that the Congress and the President selected the members of this Commission. Two-thirds of our members, 67 percent, were deaf or hard-of-hearing. We, in turn, selected as our staff director and staff counsel, our two top administrators, persons who were born deaf. There can be no doubt today that people who are deaf with the talent and education to perform any task that our society might ask of them are abroad in the land who can lead programs, and govern them.

RESEARCH

We stress that research remains urgently important in all areas of education for people who are deaf. We want the best research to receive federal support--wherever that work is being done. At present, the bulk of research funds in deafness is provided, without competition, to Gallaudet and NTID. We want a substantial amount of that money to be competitive. Beyond the topics of elementary, secondary, and postsecondary education, the Commission looked at a broad array of other concerns. Dr. Bowe will summarize our recommendations.

PROFESSIONAL STANDARDS AND TRAINING

There is a pressing need for establishment of nationwide professional standards, as well as better training programs at almost every educational level. We recommend that these standards and training programs be developed for specialized educators of deaf children, as well as for regular teachers in mainstream settings, with the inclusion of deaf adults as instructors in the training programs.

Few people understand the vital importance of interpreters in educational settings; often there are no policies regarding them, nor any certification requirements. Therefore, we recommend the Department of Education assist the states in establishing standards for educational interpreters, as well as specifically design training programs for this growing segment of the interpreting profession.

TECHNOLOGY

A major finding of the Commission is that technology has a critical role to play in education for deaf people at all levels and at all ages. Captioning of television is a crucial tool for preventing and ameliorating illiteracy. Computer speech recognition will someday make true integration into society, without the need for human interpreter assistance, not only possible but an everyday occurrence. Biofeedback via visual representations of speech can even today help many deaf people to learn how to speak more clearly.

These awesome potentials caused us to make several technology-related recommendations. We urge that schools and colleges---indeed any programs providing educational offerings of any kind--be required to follow the same electronic equipment accessibility provisions as federal agencies are now required to do under section 508 of the Rehabilitation Act Amendments of 1986. We understand that this subcommittee plans hearings in May on a bill that would provide for greater use in the nation's schools of the kinds of technologies we have been describing. We urge the Congress to act quickly and decisively to provide these tools to people who are deaf--these technologies literally are our ears, our voices, our link to the world of tomorrow.

CAPTIONING

We make several recommendations relating to TV captioning programming. They are designed to spur greater and more widespread use of captioning. First, we urge that the Congress mandate the Federal Communications Commission (FCC) to issue regulations requiring broadcasters and cable-TV programmers to caption their programming. The FCC's voluntary approach is not working. Despite recent advances in captioning technology over the past decade, TV programming has not been captioned to the fullest extent. Less than one-third of the three major networks' total TV programming is currently captioned.

Second, we find that the current Federal funding mechanism--that awards funds directly to a captioner--stifles competition and as a result, keeps captioning rates artificially high. To ensure self-sustaining captioning services, we call for the establishment of a Corporation of Closed Captioning to coordinate the distribution of federal funds for captioning projects. The Corporation would not itself perform captioning services.

Third, despite recent decreases in the cost of decoders, the cost prevents many people from purchasing them. We recommend at least two things. One, the Congress should require the FCC to issue regulations as it deems appropriate to make new TV sets capable of decoding closed captions. Two, until such TV sets become widely available, current Federal funds for decoder development and manufacturing should be made available to increase the distribution of existing decoders.

CONCLUSION

Mr. Chairman, the Commission on Education of the Deaf performed its work during a time when Marlee Matlin won the Academy Award as best actress, when Ray Charles testified to this Congress that hearing impairment must be given a higher priority, when a deaf woman was named by the President's Committee on Employment of the Handicapped as the Handicapped American of the Year and when the first deaf president was selected at Gallaudet. Rarely has deafness been as visible in America as it is today. In the glare of that light we see our triumphs---and our shortcomings. It is our responsibility, and our privilege, to present to you a report summarizing both--and providing you with what we believe is a vital blueprint for action in the years to come.

Thank you, Mr. Chairman. We will be pleased to answer any questions you may have.

Senator **Harkin**. Thank you all very much for an excellent job. There is one thing you did not mention. I understand that your Commission came in with the report on time and under-budget. In Washington, that is remarkable. Would you like to take over OMB? [Laughter, applause.]

I have some questions. Before I get into my questions, though, I would like to defer to my distinguished colleague who has been a very strong supporter of all of the programs to help our handicapped individuals throughout his long tenure here in the Congress, in both the House and the Senate. We are sad to see him retire at the end of this session. He has had a long and distinguished service to this country, especially to the handicapped citizens of America. I want to thank him and I know we all want to thank Senator Stafford for all that he has done for people with disabilities.

Senator Stafford.

[Applause.]

Senator **Stafford**. Thank you very much, Mr. Chairman, for those very kind and gracious words, and thank you all who are in the hearing room.

Thinking about all of the assist we do get today from modern science, I myself would be in a wheelchair were it not for artificial hips. I am reminded this morning that, in spite of all these advances, we do not seem to be able to do anything about the weather and as a result the Senator from Vermont was an hour and a half late getting to work and in consequence I regret that I missed your opening statement. I am very glad to be here.

Senator **Harkin**. Thank you very much, Senator Stafford.

I have a number of questions. Let me start off with something that occurred to me as I read through the report, which I did. I was very taken by the report and the work that my staff had done in expounding the different parts of it.

You addressed some of this in the report, and you will know what I am getting to in a minute. Most of the deaf people who go through high school do not go on to college, they go into the labor force. Most of my experience with deaf people has not been with those who have gone on to postsecondary or to college. They have been individuals who have worked with my brother in two or three different manual labor jobs throughout his career, throughout his life.

I wonder about the balance between the money and the emphasis that we have on the one hand towards educating those deaf students in postsecondary schools, Gallaudet, NTID, and the regional centers, and those who enter the workforce who just have to cope with everyday life, and what kind of continuing education do we have for them.

It has been my experience that there is nothing out there, and yet it has been experience that deaf people are just like hearing people, they go out, they get a job, maybe later on after they are married they have a family coming, and then they want to learn something else, but there is not much out there.

You addressed a little bit of that in your report. I just want to ask if any of you have any further comments on what I perceive as a real need. Now, maybe I am wrong, that a real need for a continuing type of education, apart from the formal structure, to help our deaf citizens who are now in their 20's, their 30's, 40's, who I think because of many things that happened recently are now demanding, rightfully so, their fair share of our economic pie.

Well, it is something I have thought about for a long time and I just wonder if you have any further thoughts on this concept, this idea of I think we need more continuing education. Any comments?

Mr. **Bowe**. Let me just begin, and I know that my colleagues have some comments, too. Your comments are right on target and your personal experience has taught you what we learned ourselves. Right now, if you are a deaf young person or an older person and you would like to get an education or job training, almost everyone you turn to will tell you to go to college because that is the only thing the Federal Government is supporting. Many tens of millions of dollars every year are going to serve the population of people who are deaf and we are concerned that a lot of those people should not be there. A lot of those people have needs that are not best met by college, they have needs that are best met by some other kind of programming and, like you said very accurately, not much of it is there.

We are very deeply concerned and I know Mr. Gainer looked at that very closely. I want to say one thing before he begins to respond, and that is the problem is not just on the postsecondary level, it starts in the schools. Children who are deaf, like other children with handicaps, have a right to an education, now from age three and very soon from birth, to age 21, and we should take full advantage of that entitlement by offering some of these children and young people the kind of vocational-career oriented training they may need and not just rely completely on postsecondary programs.

Mr. Gainer, would you like to take it from there?

Mr. **Gainer**. I think two of our recommendations really get at this problem, maybe three. First of all we found that in the Federal programs that are located around the country, certain programs provided only vocational education while others provided only baccalaureate programs, so that a youngster—or someone returning to school—who is not interested in the program available in that locality, or who has family responsibilities, does not have any place to turn.

We thought that centralizing a better range of educational services in these postsecondary programs would be very helpful for those within commuting distance or those who can relocate, but we realize that people who have jobs and are not mobile cannot travel several hundred miles to take advantage of one of these programs. So what we would suggest is that with greater funding for continuing education at these centers to develop their programs and assist other institutions within their regions, we might get a better focus on this continuing education problem. We think it is one that is going to grow substantially as more deaf people do attend postsecondary education and become more and more important.

As for those that, as we said in our report, are not college material, you have a different kind of problem. There you have either, let us say, not the aptitude or the desire to go into highly specialized training or college programs, but they nonetheless need to earn a living and want to have a decent job and a place in our society, they do not want to be dependent.

What is happening to those individuals is that they have a low incidence disability and deaf people are located all over the country. It is very hard for a JTPA program or a proprietary school or a community college program to assist these individuals because they cannot provide the support services or because these individuals are not ready for services because they are not at a level of communication that allows them to function in these other programs. We think that the rehabilitation centers we are recommending would fill that gap and there is really no place else for those people to turn.

They do have vocational rehabilitation and other sources of funds available. But it may not be a money problem. It is more a problem that the market cannot respond to this small number of individuals in any one locality. Even these regional centers are not going to do the full job because you are still going to have distance problems, but it is better than ignoring this population entirely, which is what I think we are doing now.

Senator **Harkin**. Mr. Gainer, in your testimony you point out that 97 percent of Federal funds set aside to educate postsecondary deaf students go to Gallaudet and NTID and they educate about half of the Nation's deaf college students. The remaining funds go to the regional programs. Have you thought about how much more the regional programs need?

Mr. **Gainer**. We did not make that a formal part of our deliberations or our research, but I did do a little back-of-the-envelope calculation last night, because I think it is important to have some perspective on what kind of costs we are talking about.

In terms of the regional programs, that is the four Federal programs beyond Gallaudet and NTID, which now educate about 600 people; these could probably easily be expanded to serve more people if the funding were there and they would be able to provide the kind of support services that deaf individuals need. Right now, those centers spend about $3,500 per person per year, so if you were to one, expand the amount of money per person to, say, $4,500 or $5,000, which we think is probably needed, because even at these schools the support services are not what they should be, and two, extend that funding to 1,000 students, you would be talking about a total cost of perhaps $5 million per year, out of a Federal budget that approaches $100 million in this area, and that is an increase of perhaps $2.5 million to $3 million. We think you would get a powerful effect out of that because in these regional programs the Federal cost is more than balanced by the much larger State and local contribution that goes to these schools than to say Galludet, so it is a way to improve the quality and availability of education for deaf students at a low per-student cost as compared to Gallaudet and NTID.

Senator **Harkin**. Ms. Galloway, anything else?

Ms. **Galloway**. It has been a main concern of the Pre-College Committee as well. We feel that since the education of deaf students is not satisfactory, the result may be that more students are in need of this kind of service. The quality of education, program standards, if those are in better control, then the students will be getting a better education and this would reduce the number of people who need this kind of service. This is the main concern of the Pre-College Committee.

Senator **Harkin**. I have a lot of questions, but one I am going to ask is I also have an interest in research on deafness and communications disorders. I have a bill in to establish a National Institute on Deafness within the National Institutes of Health. It is my understanding that the Commission endorses this concept. Is that so, and do you have any thoughts on that?

Mr. **Bowe**. Yes, Mr. Chairman, the Commission specifically acted to endorse the creation of an Institute on Deafness and Other Communications Disorders within the National Institutes of Health, and we did that for several reasons.

First of all, the research going on in deafness now, much of it funded by the Education Department, is very applied in nature. It is research that starts with the assumption that there are people who are deaf and they have problems. We believe that basic research is also urgently needed and desperately lacking.

We also note that NIH today has a substantial budget to serve a large number of people. However, fully 60 percent of all the individuals who benefit today from the mission of the National Institutes of Health have neurological, communicative disorders, and stroke impairments, people with hearing, balance, speech, language, taste and smell disorders—but only 14 percent of the NINCDS budget is given over to the needs of these people.

We believe a separate institute to bring that funding to a level where it is needed and that the research will provide tremendous promise, not only to look at prevention of hearing loss but also at amelioration. One of those ways is much in the news today and that is the cochlear implant. I imagine your brother probably hears the well-meaning advice that I do, the people are all telling me that I can now get a new ear and put it in my head, and I try to explain to them that the ear that is out there is a Model T and I do not want it in my skull until they at least get to the phase of a Corvette. [Laughter.]

That kind of research is definitely needed.

Senator **Harkin**. Yes. I have two other things that I want to just quickly get further comments on and that is closed captioning. I have a long history in this from my time in the House of Representatives, working on closed captioning and the decoders back in the seventies. I was present at the White House with Senator Randolph when the first decoder was presented to President and Mrs. Carter. I thought then that it held great promise.

I can remember very well taking a decoder to my brother and watching as he watched his first television programs. I remember, when I was a kid we always had a radio before we had television and obviously my brother and I would sit and listen to the radio and he obviously couldn't participate, but when we got television, what a change, and what a change when he got a decoder so now he really could understand.

I just really watched the lack of the commitment by the networks to captioning. I will say that ABC has been very good. They have been in the forefront. Of course, educational television has been in the forefront. CBS to this day still is dragging its feet, and I say shame on them. NBC has done a little bit here and there.

Also, I think that we have to recognize, as I have said so many times, that decoders cost a lot of money, and most deaf people are low income and there should be some means of providing assistance to people to get the decoders. And what you said about them being broader than just deaf people is very true—new arrivals to this country, children growing up, all kinds of different people can be helped by this.

So I applaud your pointing out the need for captioning and recommending mandatory captioning. I know the networks are fighting it, but I can tell you right now that I have waited almost ten years now, nine years, I think about nine years and I have been told every year that they are going to do more next year. Well, it just takes time and then the next year they say next year they will do more. Well the waiting is over and I think that your recommendation is something that we have to look very seriously at.

Mr. BOWE. Thank you, Senator. The Commission shares your concern. I can tell you, like your brother, that it was a shock to me to discover what goes on on television shows. That happened to me about four years ago and it opened my eyes to how people talk to each other. It opened my eyes to a whole new world and I enjoyed entertainment for the first time in more than three decades.

Now, my wife and children are not quite so enthusiastic about the captioning because they would like to be able to meet me again and become re-acquainted. [Laughter.]

Senator HARKIN. It sounds familiar.

Mr. BOWE. We believe that the problems are solvable and, first of all, within six months you can have a chip in a television set and we believe it would not cost very much money after they start mass-producing them, $10 or $15. That would be in every television set in the country, and if you happened to want to use it, it is there. That would bring it to new immigrants, parents, senior citizens who are beginning to lose their hearing, it would bring it to people who are poor and deaf who cannot afford yet another special device.

The Federal Communications system has never required such a decoder to be built in.

Senator HARKIN. I am going to give you one other idea on why closed captioning is good for hearing people. Many times, I am watching television, the phone rings, but I do not want to miss something, I turn the sound down and I am talking and I watch and I do not understand what is happening, but when I have got the captioning on I can follow and talk on the phone at the same time. [Laughter, applause.]

Mr. BOWE. If you do that, I will not call you at home, I will not have your full attention.

Senator HARKIN. It works.

Mr. BOWE. The Federal Communications Commission should be asked by the Congress to require more programming be captioned. We think it should be required. Some of the networks have asked us about that and cited the First Amendment, but this is not a First Amendment issue. We are not talking about restraining free speech. We are not talking about interfering with the flow of information. It is not a First Amendment issue. It is an issue that is important for the social wellbeing of our country, for illiteracy, which is a huge problem in this country, for education of people who are deaf, for helping to improve education of all children, because they would enter school knowing better English, and we believe those social goods are such that they are equally as powerful as other social goods that now guide some of the television programming.

Senator HARKIN. Well, we are going to follow through and follow up on the captioning. I might just point out that we are in the process of getting the Senate proceedings captioned on a real time basis, and I am hopeful that that will take place very shortly, then you will be amazed to find out how Senators talk to each other.

Mr. BOWE. God forbid. [Laughter.]

Senator HARKIN. The next thing I want to talk about was the use of assistive technology. We are currently preparing legislation to assist States to have a coordinated program for the delivery of assistive technology devices for persons with disabilities.

Your recommendations appear to be consistent with what we are developing. Why do you believe that improving the State's ability to deliver assistive technology services is so important for enhancing the opportunities of deaf persons?

Mr. BOWE. Well, very simply, Mr. Chairman, technology today is like a pair of glasses, we are both wearing glasses. Technology today can be my voice, talk better than I do, does not have a Scandinavian accent. [Laughter.]

Technology today can be my ears and hear for me. You have two ears, Senator, all day, every day. You have your glasses with you all day. There are very few, a handful of people who are deaf in this country who have the technology being made right now available to them every day. Rather, what we have many miles away is some assistive device center and there might be a machine there. That is not going to do it, where I can go once a week for two hours to use this technology. We think it has got to be in the hands of children, youth and adults, and that is why we think it is urgent that you introduce and support and pass legislation that would encourage the States in a diversity of ways to make these technologies available.

Senator HARKIN. Senator Stafford, do you have anything at all that you want to raise?

Senator STAFFORD. Mr. Chairman, I have one or two questions that I would submit to the panel in writing, if that is agreeable.

Mr. BOWE. Senator, we would be delighted to respond to any questions that you may have in writing. May I join with your distinguished colleague in thanking you for the wonderful service you have provided to disabled people in the Nation over so many years, and we are very sorry to see you go.

Senator STAFFORD. Thank you.

[Responses of Mr. Bowe to committee questions follows:]

COMMISSION ON EDUCATION OF THE DEAF
GSA REGIONAL OFFICE BUILDING
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MEMORANDUM

To: Robert Silverstein, Staff Director
Senate Subcommittee on the Handicapped
From: Frank G. Bowe, Chairman
Commission on Education of the Deaf
Date: April 19, 1988
Re: Responses to Senate questions

Attached are my written responses to the questions asked at the hearing on March 21st.

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SENATE QUESTIONS AND ANSWERS

1. Why is the National Institute on Deafness and Other Communication Disorders important to the Commission?

The Commission wants to encourage basic research on prevention and amelioration of disability. Research conducted by the US Education Department is almost exclusively applied in nature--the Department is, quite properly, more concerned with educational issues than with medical ones.

We note in our report, Toward Equality, that many of the causes of deafness remain unknown. We need to know much more about the genetic aspects of deafness, about the prospects of genetic counseling and genetic engineering, and about the potential of cochlear implants and other medical interventions.

The Commission believes that the proposed Institute will have an important role, too, in education and training. We observe, however, that the Institute, if it is created, should have a stronger representation in advisory and consultative roles, from consumers and parents than has been contemplated to date.

2. Federal funds are limited. Of the many potential steps the federal government could take in assistive technology, which would the Commission most strongly urge?

The Commission urges that assistive technology be recognized for what it in fact is -- and must become: technology that children, youth and adults with disabilities such as deafness need to use every day, all day, in order to learn most effectively and efficiently. Whether we are talking about speech synthesizers that can provide a readily understood "voice" for deaf individuals, or about speech recognition, which is rapidly developing into the capability to serve as our "ears", we are speaking about capabilities that nondeaf persons have available to them all day, every day: speech and hearing.

It does little good to have such technology available in some "assistive device center" some miles away, which may be used a few hours a week. As well-intentioned as the TECH Act [S.1586] is, it does too little, focusing mostly on such centers.

Rather, we need an innovative new approach that would result in the hardware and software used in the classroom and in the child's home being "accessible" to deaf and other disabled children, youth and adults. Perhaps an extension of PL 99-506's section 508, making school districts and other recipients of federal financial assistance, responsible for ensuring that electronic equipment purchased, leased, rented or otherwise obtained, is in fact accessible to and usable by both students and faculty/staff who have physical, sensory, mental, or other disabilities.

The Congress may also wish to support the development, manufacture, and distribution of so-called "orphan technologies", that is, devices that are specially designed for use by, and very important to, a small number of people. Together with a state-based system of providing devices a child or young person may use both at home and at school, these steps will make a big difference. We note in our report, too, that funds for maintenance and operation of equipment are vitally important, yet often are overlooked in federal legislation.

3. What should be the federal role in captioning?

The Commission notes that captioning has a tremendous -- and to date largely untapped -- potential for helping persons who are not deaf -- preschool children just learning to read, recent immigrants trying to learn English as a second language, and senior citizens whose hearing is deteriorating who want to secure more information and entertainment from television. Captioning has a potentially huge role in helping this nation to battle illiteracy. We believe that these added social benefits, taken together with the demonstrated educational and other advantages captioning provides to people who are deaf, justify a strong federal role.

The federal role should be a stimulative one, a presence that guides the marketplace without interfering with private competition. We have given one example already -- broadening the market so that it serves potential users who are not deaf. The Commission believes that the Congress should also fund "breakthrough" efforts in captioning -- such as development, manufacture, and implementation of captioning decoders built-into commercially sold television sets.

The Commission is concerned that the current process may be stifling competition and actually creating anti-competitive barriers to growth in the industry. While the U.S. Education Department's contracting processes may be entirely legal, we heard extensive testimony to the effect that providing federal funds that one competitor can use to lower prices to networks, independent producers, cable companies and syndicators may result, in time, in other competitors leaving the market.

The objective should be to have a self-sustaining industry that no longer needs federal support. We are a long way from that now.

The Commission recommends the establishment of a Corporation for Closed Captioning (CCC) that would function much as does the-- or might actually be administered by the -- Corporation for Public Broadcasting. CPB receives funds from Congress, announces annual priorities, receives and evaluates proposals, and funds programming efforts at public television stations. The CPB requires matching funds from other sources, in order to multiply the reach of its funds. CPB does not itself produce programs. The proposed CCC would function in much the same way. It would not itself produce captioning -- that is, it would not compete with captioning organizations and companies. It might well provide funds directly to producers, to be matched from other sources. Perhaps the CCC could exist for a limited period of time, perhaps ten years, providing over that period a gradually diminishing proportion of the total funds required to produce captioning, withdrawing entirely after captioning becomes, which we hope it will be, a common, routine practice in the television industry. Finally, the CCC would advise the Federal Communications Commission [FCC] on the amount of captioning it should require from what kinds of networks and stations for what kinds of programs.

4. How does the Commission respond to the claims by some networks that your proposal to require networks to caption programs violates the First Amendment to the Constitution?

We see no problem with the First Amendment. The Commission's recommendation would not in any way restrain the flow of information. There is no restriction on free speech. The regulation we ask Congress to direct the FCC to issue is based on public-interest goals that the FCC is authorized to pursue. Nothing in the First Amendment prevents such action. The issue is not the flow of information; rather, it is access to that information. We believe that it is in the public interest that deaf people, young children just learning to read, recent immigrants learning English as a second language, and senior citizens losing their hearing have access to that information.

5. Does the Commission believe that a GAO investigation of captioning is called for?

The Commission received substantial information from a number of sources, including the captioning industry itself, that raised a number of questions. We believe that there are enough questions, and a reasonable basis for pursing them, that further inquiry is called for. Perhaps the U.S. Education Department's Office of the Inspector General would be the place to start. If OIG produced a report that did not satisfy this subcommittee, the chairman could then ask the GAO to look further into the matter.

Senator **Harkin**. I just have a few more questions. I know time is going on, but I intend to be here until we finish. I have a question for Ms. Galloway. The Commission states, "One of our goals with the highest priority in educating deaf children is to facilitate by all available means their acquisition of English." What are we not doing today that we must do in the future to improve the acquisition of the English language?

Ms. **Galloway**. Early intervention programs are very important. We have learned that only 8 States in the United States have this type of program, and we feel that identifying the deaf child at an early age is very critical for language development. Many children have come to school at the age of 4 or 5 with no language. The first five years are the formative years and it is very critical for language development.

One of our recommendations is to ask the Department of Education to develop guidelines for the establishment of early identification, early intervention programs throughout the United States. The earlier the children are discovered, the better chance they have for language acquisition.

Secondly, American sign language has been for a long time ignored. People have refused to accept it as a language. It is very important to recognize American sign language as the native language and use it as a tool in teaching English. Most schools have ignored that fact, and for this reason we recommend that we recognize American sign language.

Senator **Harkin**. Well, I could not agree with you more. As we found in so many handicapped programs, that early intervention, get these kids early, I do not mean 7, 8, 9 years old, I mean 1, 2, 3, 4 years old, and—4 days old, they say—that by starting that young, the money that we spend saves so much money later on and equips these people to better take care of themselves.

I just feel very strongly that we have got to put more and more emphasis on very early intervention, so that maybe 10 years from now, maybe institutionalization will be a thing of the past.

Mr. **Bowe**. Senator, we are really concerned about this. Let me point something out. I know that Ms. Galloway can add to it. We found that hearing children are not taught English, they learn it. When people try to teach English to children with normal hearing, normal faculties, they are able to learn maybe 200 words a year by being taught those words. Of all the many tens of thousands of words that they are learning, they learn, they were not taught.

What has happened to deaf people like myself, Ms. Galloway, is that educators have tried to teach us English and they have not—I repeat once again, they have not made an adequate effort to structure an environment and condition in which we will learn it, which is the way the brain works.

Ms. Galloway.

Ms. **Galloway**. I would like to add that you may be interested in knowing that a five-year-old hearing child hears a new word five times before he or she will internalize the word in their language, but a five-year-old deaf child, a hearing impaired child has to see the word 35 times before he or she will internalize that word.

How many opportunities does the deaf child have to see this word if the parent does not sign, the people around them do not sign, how will the child learn? It will take them weeks and weeks if their experiences and exposure to the new words are limited to the classroom only.

Senator HARKIN. There are a lot of things I could go over with you in that regard. I have a question for Bill Johnson, who is in the audience. He is the head of the Iowa School for the deaf, where my brother went to school many years ago, before he was there.

Where is Bill? Oh, right here. I want to introduce him. He is a member of the Commission. I want to ask you, as the head of a school for the deaf, this question. The Commission addresses the Kendall Demonstration Elementary School, KDES, and the Model Secondary School for the Deaf, both located at Gallaudet University. These two schools were mandated by Congress to serve as model programs to prepare deaf students for advanced study and stimulate program improvement nationwide.

The Commission states that many of these programs nationwide are now successfully preparing academically oriented students who are deaf for advanced study. The Commission recommends that KDES and MSSD address the needs of these students by amending the Education of the Deaf Act. In light of your experience at the Iowa School for the Deaf, do you agree with the Commission's findings that your school is not receiving appropriate and relevant information from these model schools with respect to the programs and products directed toward the special sub-groups within the deaf student populace? I understand these include, one, students who are lower achieving academically, two, students who have secondary handicaps, and, three, students who are from non-English-speaking homes and, four, students who are members of minority groups.

Mr. JOHNSON. Senator, I am pleased to respond to that and thank you for inviting and giving me an opportunity to do such. I would agree with that recommendation. Yes, it is true that we have had some problems in the past getting research information, et cetera, that would help serve those kinds of students that we have in Iowa and in every other State in this country, but we are hopeful with the recommendations of the Commission here that, if they are followed through, we will see the information that we need to help those particular youngsters.

Senator HARKIN. So you support the Commission's findings and recommendations?

Mr. JOHNSON. Yes, I do, very much.

Senator HARKIN. Very good.

Well, I have nothing else. Is there anything else any one of you have, last things that may have come to mind?

[No response.]

Senator HARKIN. Let me ask one question, one more, please. To your knowledge, to the best of your knowledge, has there ever been a poll taken of deaf people in the United States, to determine are there problems, are there needs, what they would like to see to make their lives better, their attitudes? Has there been such a poll taken?

Mr. BOWE. We had in 1974 a study that was called a "census," and much of that information is out of date. We have not had a follow-up, and one of the biggest frustrations I have is that the

United States Bureau of the Census every March conducts what they call a supplemental, The Current Population Survey, in which they do count people with work disabilities and they do identify people who have work disabilities. They do not ask what kinds of disabilities. They do not ask if it is a hearing or vision problem. The Census in 1990 will be the same as the Census in 1980, they will tell us about how many people have disabilities but nothing about their disabilities. It will not identify a single deaf person, no.

Senator HARKIN. That is not what I am talking about. What I am talking about is sitting down with a deaf person and going through a formal poll of, as I said, attitudes, needs, problems——

Mr. BOWE. No, sir, nothing that I know of. Lou Harris——

Senator HARKIN. Would that be useful?

Mr. BOWE. Extremely useful. The Lou Harris Poll was done of people with disabilities, but Lou Harris decided that it was too hard to communicate with those of us who were deaf so we were not included in that study. I think it would be enormously helpful.

Senator HARKIN. I have been thinking about that.

Ms. GALLOWAY. Maybe it is not really related, but you may be interested to know that recently, with Gallaudet's protest, there was a poll on CCN asking for support of what Gallaudet University was doing, and 87 percent of the people were in favor of that. I think that is awfully significant of the attitudes, they feel good about themselves.

Senator HARKIN. Good. Very good.

Senator Boschwitz.

Senator BOSCHWITZ. I am here to introduce Bob Lauritsen. I have no questions.

Senator HARKIN. Well, again, thank you for your fine work and for getting it here on time. You may have missed at the beginning, they got the report in on time and under budget and, as I said, that is remarkable around here. We thank you all very much. You are wonderful.

[Applause.]

Next, I would like to call Madeleine C. Will, the Assistant Secretary of the Office of Special Education and Rehabilitative Services of the U.S. Department of Education. And while Ms. Will is taking her place, I would like to call on Senator Boschwitz for an introduction.

STATEMENT OF SENATOR RUDY BOSCHWITZ, A U.S. SENATOR FROM THE STATE OF MINNESOTA

Senator BOSCHWITZ. Would Bob Lauritsen, come on up, Bob and just sit there while I introduce you.

Bob Lauritsen.

[Applause.]

I speak too slowly, so I will do so rather verbally. Bob Lauritsen and I have been friends since I have come here to the Senate nine years ago. He was one of the first people that I met. I do not think we had met prior to my coming, is that correct.

Mr. LAURITSEN. That is correct.

Senator BOSCHWITZ. I have been very much engaged in seeing that his program is adequately funded and that the programs of the deaf are adequately funded in general, and his program at St. Paul Technical Institute I think is really one of the exceptional ones here in the United States.

Mr. Chairman, I am particularly pleased that you take such an interest in the deaf. I learned to speak—gosh, it is now almost forty years ago, and I worked one summer in a hotel with deaf students from Gallaudet and I learned to get to communicate with them, I learned to sign and do it rather slowly and do not practice it very much, as you can see.

But Bob Lauritsen and I go and talk to his students from time to time and, you know, you get a certain joy out of helping some people in this business, out of helping other people you do not get much joy, but in the case of Bob Lauritsen and in the case of deaf in general, first I compliment you, Mr. Chairman, I know the cause of your special interest and not only due to your family but just because you are you and you take an interest in people who have difficulties. I like to think I do, as well.

But there are few programs around that are as well balanced and as efficient and as cost-effective as Bob Lauritsen's and so when you listen to him, know that he certainly has a friend here in the Senate, as do all deaf people, and I say that about the distinguished Senator from Iowa as well as myself. I am his neighbor in Minnesota, and I am very pleased to introduce Bob Lauritsen to you, Mr. Chairman.

I have other obligations this morning and so I appreciate your allowing me to interrupt the progress of the hearing to do so. Bob, welcome to the Senate once again. He is a frequent visitor. Again, you know, some people in our business, we have many frequent visitors, some of them are welcome and, if I may say so, Mr. Chairman, some of them you do not look forward to quite as much as you do others. I look forward to the visits of Bob Lauritsen because I know that he and his father before him and his family are very much involved in helping other people and have been very, very effective in doing so.

Thank you, Mr. Chairman.

Senator HARKIN. Senator Boschwitz, thank you very much.

[Applause.]

Thank you not only for your interest in this but also your sensitivity, too, in this issue.

Senator BOSCHWITZ. Thank you.

Senator HARKIN. Bob, thank you very much. We will call you back up to the witness table later. You will be in the next panel.

Mr. LAURITSEN. Thank you.

Senator HARKIN. Ms. Will, welcome again to the Subcommittee. I have read your statement on the report so please just go ahead and take what time you need.

STATEMENT OF MADELEINE C. WILL, ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, U.S. DEPARTMENT OF EDUCATION

Ms. WILL. Thank you for the opportunity to present the Department of Education's comments on the report to the President and the Congress of the United States by the Commission on Education of the Deaf entitled, "Toward Equality: Education of the Deaf."

The Department has followed the Commission's work very closely and assisted the Commission with its extensive task. The Department commends the members of the Commission for the amount of work done in such a short time. In my brief remarks today, I would like to comment on some of the issues and recommendations set forth in the report by the Commission.

In the area of program administration, I am pleased to announce that the Office of Special Education and Rehabilitative Services has established a unit on Deafness and Communicative Disorders within the Office of the Assistant Secretary. The unit will address policy issues and coordinate service programs to meet the unique needs of children and adults who are deaf or communicatively disabled. It will focus on the rapid advances in such areas as technology, linguistics, psychology and other areas affecting human development. It will also carry out the monitoring and evaluation responsibilities mandated to the Department under P.L. 99-371, the Education of the Deaf Act of 1986, and house the liaison officer to Gallaudet and NTID.

EVALUATION AND OVERSIGHT OF GALLAUDET UNIVERSITY, NATIONAL TECHNICAL INSTITUTE FOR THE DEAF AND THE REGIONAL POSTSECONDARY PROGRAMS

The Department welcomes the Commission's recommendation in regard to the evaluation and oversight of Gallaudet University, the National Technical Institute for the Deaf, and the Regional Postsecondary Education Programs. The Department has begun plans to conduct a systematic evaluation of Gallaudet University, followed by evaluations of the National Technical Institute of the Deaf (NTID) and the Postsecondary Education Programs.

In order to prepare for the first study, the Department plans to consult with a team of experts to develop guidelines for conducting evaluations of these complex and specialized institutions of higher education. This is an important first step, because any evaluation must be credible to professionals in the field of deafness, to the Congress, and to other parties. The Department expects the guidelines to be completed in fiscal year 1988. The full study of Gallaudet should begin shortly thereafter.

RESEARCH

Regarding research, the Commission recommends the establishment of a National Center on Deafness Research within Gallaudet University which would be managed by the University. The present Federal funding level for research would be maintained, but a significant portion of it would be awarded competitively by Gallaudet University to other qualified research organizations.

The Department cannot support these recommendations. The Department agrees with the Commission's draft recommendation, that is, to have Congress provide to Gallaudet University and the National Technical Institute for the Deaf a base-level line item for research, development and evaluation. The remaining research funds should be made available on a competitive basis and administered by the Federal Government.

It must be pointed out that Gallaudet University has always successfully competed for special support from discretionary grant programs of the Federal Government. The Federal Government has already established peer review procedures which ensure fair and open competition utilizing experts in the field to review applications.

APPROPRIATE EDUCATION

The Commission addresses the issues of appropriate education and least restrictive environment for the deaf and states that in developing the individual education plan (IEP), consideration should be given to such factors as severity of hearing loss and the potential for using residual hearing; academic level and learning style; communicative needs and the preferred mode of communication; linguistic, cultural, social, and emotional needs; placement preference; individual motivation; and family support.

The Department endorses the concept that each of these factors should be considered in designing IEP's. However, we would like to stress that the educational needs of the child are the principle concern of the IEP committee, and, to the extent that these factors affect the educational needs of any child with handicaps, including one who is deaf, the factors should be taken into account. Current Federal policy does not need to be modified to achieve this objective.

The Commission recommends that the Department should refocus the least restrictive environment concept by emphasizing appropriateness over the least restrictive environment. The Department believes that such an approach would be incorrect and encourages a balanced approach which emphasizes appropriateness in the least restrictive environment.

The Department agrees that placement decisions can properly be made only in the context of a decision on what constitutes appropriate education for each particular child. Properly designed IEP's define the educational goals and services for each child based on the child's unique needs. Placement decisions must be based on the IEP. Consequently, the child is to be placed in an educational setting in which the appropriate education specified in the IEP can be delivered. Our most recent child count shows that over 75 percent of deaf and hard of hearing children aged 3 to 21 are being served in integrated placements. The challenge, and our goal, is to ensure that every student receives appropriate education and related services to meet his or her individual needs.

STANDARDS

The Commission, in several of its recommendations, expresses the need for program standards or for standards for the qualifications of personnel working with deaf students to be developed by the Federal Government. The Department believes that determination of educational standards properly should be entrusted to States and professional organizations concerned with setting program or personnel qualification standards and, therefore, objects to the recommendation to give this responsibility to the Federal Government.

In accordance with the Commission's recommendation on the need to develop standards, the Unit on Deafness and Communication Disorders has assisted in the establishment of a parent task force to develop suggested guidelines recommending minimal standards in public schools serving hearing-impaired students. The group has a number of professionals assisting in the task.

We expect that the guidelines will recommend standards in the following areas: standards for identification of hearing-impaired infants; standards for educational programs for hearing-impaired students; quality indicators for programs serving hearing-impaired students; and certification standards for professionals working with hearing-impaired students in the classroom.

As you can see, the new unit on Deafness and Communicative Disorders is already considering many of the issues identified in the report of the Commission on the Education of the Deaf. The Department is convinced that the activities of this new unit will raise the quality of education, not only for children who are hearing-impaired or communicatively disabled, but for all children with special needs.

I would like to request permission to submit for the record a more detailed response to specific recommendations of the Commission. However, I will be happy to respond to any specific questions the Committee may have at this time.

Thank you.

Senator HARKIN. Ms. Will, thank you very much for that fine summary of your statement on the Commission's report. I guess the one thing that we are going to have some area of problems with is this struggle between the appropriate education and least restrictive environment.

As I understood Mrs. Galloway, and she might correct me if I am wrong, she and the Commission felt that more emphasis should be placed on the appropriate education, rather than the least restrictive environment.

[Applause.]

Now, the Department, you say you endorse the concept but you say current Federal policy does not need to be modified to achieve the objective. Let me quote from your statement. You say:

> The Commission recommends that the Department should refocus the least restrictive environment by emphasizing appropriateness. The Department believes that such an approach would be incorrect and encourages a balanced approach, which emphasizes appropriateness in the least restrictive environment.

Try to tell me how the Department differs from the Commission in this regard.

Ms. WILL. Well, I can speak for the Department, I think I understand our position. Our belief is that good quality appropriate education can be delivered in the least restrictive environment. Now, if you look at the Commission's recommendations, taken as a whole I think they imply that that is not the case, that you cannot deliver good quality educational programs in the least restrictive environment.

Now, it may be that there are problems and we do not say that each placement in the least restrictive environment is of the highest quality, but we certainly endorse the concept that good programs can be delivered in integrated settings, that quality and integrated settings are not mutually exclusive. As a matter of fact, we have the evidence from our research and our demonstrations to suggest or to demonstrate that it is possible to deliver good quality services in integrated settings.

The Federal Government, is helping States and local educators through technical assistance, through training, through a variety of means through our regional resource centers and other resources out there, helping people to understand what constitutes a good quality program.

We have a sense of what the best practices look like. They include essential features such as the development of peer support groups for deaf students in class and after school. It means competent interpreters and notetakers, tutors if necessary, whatever assistance is required in order to help the child function in the least restrictive environment.

In one country, in Sweden, there is an interesting model which allows the year to be interrupted periodically to have intensive periods of reinforcement of speech for deaf students. Students will go along in the regular school or the regular classroom for part of a semester and then they will be pulled out to receive very intensive reinforcement. It means trained staff, it means having appropriate computer-assisted instruction available and whatever other technology might be deemed appropriate, and it means the best in terms of instructional approaches.

Senator **Harkin**. I am still trying to understand the differences here. Correct me if I am wrong, but it seems to me what I am hearing is that the Commission is saying that first you determine the appropriateness of the education and then you get to the issue of least restrictive environment.

Ms. **Will**. We have that standard already in the statute and in the regulations. Can the program that you have decided upon be delivered in the setting that you have chosen, that is a first order question that an IEP and placement team should look at.

Senator **Harkin**. Are you saying that the Department is already implementing what the Commission has stated or the goal that they have stated? They say that the Department of Education should refocus the least restrictive environment concept by emphasizing appropriateness over least restrictive environment. Are you telling me that——

Ms. **Will**. No, I think that would require legislative change.

Senator **Harkin**. Tell me why.

Ms. **Will**. Because the statute does not say you choose, it does not speak in terms of appropriateness and then a separate category setting. It says that you look at the individual needs, you determine the individual needs of a child so that you come to a decision about a good program which can be delivered in the least restrictive setting possible, and you are allowed to—all of the factors that the Commission recommended would be taken into consideration when placing a deaf child, we totally support that each and every one of those factors should be weighed and considered by an IEP team, and if there is an educational reason determined why a child should be in a more restrictive setting, then that is perfectly appropriate a consideration and the decision should follow accordingly.

Senator **Harkin**. As I understand it, the Commission is not asking for a change in legislation.

Ms. **Will**. I know that.

Senator **Harkin**. Again, I am having some difficulty understanding this. I thought I understood it. Are you saying that you cannot implement a program that would develop the appropriateness of the educational programs to fit the individual before looking at the least restrictive environment? Is that what you are telling me?

Ms. **Will**. I do not know that I would accept that as a question for the IEP, but I want to make clear that the Federal Government does not develop the program. It is developed by people at the State and local level and is tailored, refined to meet the needs of the individual child. That is why it is so difficult for us to talk about this, because we are talking about it in terms of categories and in abstract terms when IEP teams deal with specific individual children and what is appropriate for each child.

Senator **Harkin**. The Commission had six recommendations on this issue. Can you or can the Department implement these recommendations without legislative changes?

Ms. **Will**. Can we, is that your question?

Senator **Harkin**. Yes.

Ms. **Will**. I would want to look at each and every one again carefully. I believe that it could. However, in most of the cases, the recommendation is that we develop a policy or a standard and we already believe that a policy or a standard exists.

I think the difference lies in how you affect change, how you bring about this change which we are interested in bringing about as well. We want to see States and locals move to delivering higher and higher quality programs, but we at the Federal level tend to think that we have to work directly with the entities responsible for delivering programs.

Senator **Harkin**. Would you look at those recommendations and get back to me, and if you see some problems in implementing them without legislation, I would like to know.

Ms. **Will**. Yes.

[Information supplied follows:]

RESPONSE SUBSEQUENTLY SUBMITTED FOR THE RECORD

Question. Look at the Commisison's recommendations (on least restrictive environment) and determine if legislative changes would be required to implement them.

Response. The statute and regulations especially provide for the public agency to make two separate decisions. The first decision is about what type of services the child needs to receive a free appropriate public education. The second decision is where those services will be provided—where the child will be placed. The statute requires that the placement be made in the least restrictive setting appropriate for that individual child. Each decision about both the type of the services to be provided and the nature of the services must be based upon what is appropriate for that child. Legislative change is not required to implement the recommendations.

Senator **Harkin**. The other point I just want to cover with you was the issue of captioning. The Commission stated:

> The current Federal funding mechanism is an obstacle to self-sustaining captioning services, as it stifles competition and as a result keeps captioning rates artificially high.

In addition, the report states that they received testimony alleging that direct Federal funds to a captioner puts other captioners at a disadvantage. This in turn, they say, stifles competition, keeping captioning rates high. Do you agree with this assessment of the funding mechanism for captioning and, if not, how should we address the issue?

Ms. WILL. Well, we are following requirements established by Congress in terms of the rate of subsidization of captioning. I think our response at this point, Senator, is that we have questions, many questions about the entire captioning program. We have questions about the size of the viewership, we have questions about the cost of the decoder and the duplication of the decoders, we have an issue in terms of how we stimulate more captioning, what we might do to promote more captioning. In short, we really want to try to evaluate the program and to examine some of these issues. The Department has an evaluation of some captioning issues underway.

Recently I met with the executives of ABC who asked whether it would be possible to create a kind of working group or a task force which would include members of ABC and other networks to help give us advice on an on-going basis, and I think that is a very worthwhile idea. That is something that we want to pursue.

Just as a small aside, an organization has approached us indicating it thinks it can produce a decoder for $70. Now, that is something that we clearly want to investigate and look into.

Senator HARKIN. Very much so. I tried several years ago to get a bill through that would give a tax credit for the purchase of a decoder as well as tax credits to individuals for TTD's, which are very expensive. We have not succeeded in getting that yet, but perhaps the Department might want to support that in a tax bill or something.

Ms. WILL. We can look into that also. [Laughter.]

Senator HARKIN. Anything else, Ms. Will?

Ms. WILL. No.

[The prepared statement of Ms. Will and additional information supplied for the record follows:]

STATEMENT OF

MADELEINE C. WILL

ASSISTANT SECRETARY FOR SPECIAL EDUCATION

AND REHABILITATIVE SERVICES

U.S. DEPARTMENT OF EDUCATION

ON

A REPORT OF THE COMMISSION ON THE EDUCATION

OF THE DEAF

BEFORE THE

SENATE SUBCOMMITTEE ON THE HANDICAPPED

MARCH 21, 1988

Thank you for the opportunity to present the Department of Education's comments on the Report to the President and the Congress of the United States by the Commission on Education of the Deaf entitled: Toward Equality: Education of the Deaf.

The Department has followed the Commission's work very closely and assisted the Commission with its extensive task. The Department commends the members of the Commission for the amount of work done in such a short time. In my brief remarks today, I would like to comment on some of the issues and recommendations set forth in the report by the Commission.

Program Administration

In the area of program administration, I am pleased to announce that the Office of Special Education and Rehabilitative Services has established a unit on Deafness and Communicative Disorders within the Office of the Assistant Secretary. The unit will address policy issues and coordinate service programs to meet the unique needs of children and adults who are deaf or communicatively disabled. It will focus on the rapid advances in such areas as technology, linguistics, psychology and other areas affecting human development. It will also carry out the monitoring and evaluation responsibilities mandated to the Department under P.L. 99-371, "The Education for the Deaf Act", and house the liaison officer to Gallaudet and NTID.

Evaluation and Oversight of Gallaudet University, National Technical Institute for the Deaf, and the Regional Postsecondary Programs

The Department welcomes the Commission's recommendation in regard to the evaluation and oversight of Gallaudet University, the National Technical Institute for the Deaf, and the Regional Postsecondary Education Programs. The Department has begun plans to conduct a systematic evaluation of Gallaudet University followed by evaluations of the National Technical Institute of the Deaf (NTID) and the Postsecondary Education Programs.

In order to prepare for the first study, the Department plans to consult with a team of experts to develop guidelines for conducting evaluations of these complex and specialized institutions of higher education. This is an important first step because any evaluation must be credible to professionals in the field of deafness, to the Congress, and to other parties. The Department expects the guidelines to be completed in fiscal year 1988. The full study of Gallaudet should begin shortly thereafter.

Research

Regarding research, the Commission recommends the establishment of a National Center on Deafness Research within Gallaudet University which would be managed by the University. The present Federal funding level for research would be maintained, but a significant portion of it would be awarded competitively by Gallaudet University to other qualified research organizations.

The Department cannot support these recommendations. The Department agrees with the Commission's draft recommendation, that is, to have Congress provide to Gallaudet University and the National Technical Institute for the Deaf a base-level line item for research, development and evaluation. The remaining research funds should be made available on a competitive basis and administered by the Federal government.

It must be pointed out that Gallaudet University has always successfully competed for special support from discretionary grant programs of the Federal government. The Federal government has already established peer review procedures which ensure fair and open competition utilizing experts in the field to review applications.

Appropriate Education

The Commission addresses the issues of appropriate education and least restrictive environment for the deaf and states that in developing the individual education plan (IEP), consideration should be given to such factors as severity of hearing loss and the potential for using residual hearing; academic level and learning style; communicative needs and the preferred mode of communication; linguistic, cultural, social, and emotional needs; placement preference; individual motivation; and family support.

The Department endorses the concept that each of these factors should be considered in designing IEP's. However, we would like to stress that the educational needs of the child are the principle concern of the IEP committee, and, to the extent that these factors effect the educational needs of any child with handicaps, including one who is deaf, the factors should be taken into account. Current Federal policy does not need to be modified to achieve this objective.

The Commission recommends that the Department should refocus the least restrictive environment concept by emphasizing appropriateness over the least restrictive environment. The Department believes that such an approach would be incorrect and encourages a balanced approach which emphasizes appropriateness in the least restrictive environment.

The Department agrees that placement decisions can properly be made only in the context of a decision on what constitutes appropriate education for each particular child. Properly designed IEPs define the educational goals and services for each child based on the child's unique needs. Placement decisions must be based on the IEP. Consequently, the child is to be placed in an educational setting in which the appropriate education specified in the IEP can be delivered. Our most recent child count show that over 75 percent of deaf and hearing-impaired children aged 3-21 are being served in intergrated placements. The challenge, and our goal, is to ensure that every student receives appropriate education and related services to meet their individual needs.

Standards

The Commission, in several of its recommendations, expresses the need for program standards or for standards for the qualifications of personnel working with deaf students to be developed by the Federal government. The Department believes that determination of educational standards properly should be entrusted to States and professional organizations concerned with setting program or personnel qualification standards and, therefore, objects to the recommendation to give this responsibility to the Federal government.

In accordance with the Commission's recommendation on the need to develop standards, the Unit on Deafness and Communication Disorders has assisted in the establishment of a parent task force to develop suggested guidelines recommending minimal standards in public schools serving hearing-impaired students. The group has a number of professionals assisting in the task. We expect that the guidelines will recommend standards in the following areas:

- standards for identification of hearing-impaired infants
- standards for educational programs for hearing-impaired students
- quality indicators for programs serving hearing-impaired students
- certification standards for professionals working with hearing impaired students in the classroom

As you can see, the new unit on Deafness and Communicative Disorders is already considering many of the issues identified in the report of the Commission on the Education of the Deaf. The Department is convinced that the activities of this new unit will raise the quality of education, not only for children who are hearing-impaired or communicatively disabled, but for all children with special needs.

I would like to request permission to submit for the record a more detailed response to specific recommendations of the Commission. However, I will be happy to respond to any specific questions the Committee may have at this time.

EDWARD M. KENNEDY, CHAIRMAN

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United States Senate
COMMITTEE ON LABOR AND
HUMAN RESOURCES
WASHINGTON, DC 20510

April 13, 1988

Madeleine C. Will
Assistant Secretary
Office of Special Education and
Rehabilitative Services
Department of Education
330 C Street, S.W., Room 3006
Washington, D.C. 20202

Dear Mrs. Will,

Thank you for testifying before the Subcommittee on the Handicapped on the recommendations of the Commission on the Education of the Deaf. As you know, many of the Commission's recommendations are administrative in nature. Please comment on each recommendation which is directed to the Department of Education. I have detailed below those recommendations about which I am particularly concerned. I also have several additional questions upon which I would appreciate receiving your comments.

Chapter One of the report addresses prevention and early identification. Please comment on Recommendation 2 regarding the implementation of guidelines to assist states in screening procedures for high-risk infants.

Chapter Two of the report addresses elementary and secondary education. These recommendations, which range from improving language acquisition to appropriate education and the least restrictive environment concept and parents rights, have received the most attention from the public. Please detail your comments and any concerns you may have on recommendations 3 through 16.

I am particularly interested in the Commission's recommendation which states that the Department of Education should monitor states to ensure the availability and appropriateness of integrative programs for students in center schools (Recommendation 10). What is your current procedure for monitoring such schools? In what manner, if any, could this process be improved?

In addition, the issue of a quality education was of great concern to the Commission. In this chapter, it is recommended that a quality in deaf education bill be established. This recommendation stems from the belief that P.L. 94-142 is merely an access to education bill for deaf persons, and does not ensure a quality education. Do you agree that such legislation is necessary?

Chapter Three addresses federal postsecondary educational systems. With respect to Gallaudet University, the National Technical Institute for the Deaf, and the four Regional Postsecondary Educational Programs for the Deaf, the Commission recommends further evaluation by the Department, (Recommendation 22). In your testimony, you stated that the Department "has begun plans to conduct evaluations at Gallaudet, NTID and the four regional programs." Please detail the progress of this activity.

The Commission also recommends that the Department assist states in program and personnel standards (Recommendations 29 through 36, and Recommendation 39). Please address these recommendations.

In addition, there have been serious issues raised by the Commission regarding the current funding of closed captioning services. I would greatly appreciate your detailed comments on this situation, as well as your comments on Recommendations 41, 49, and 50.

The final chapter of the report addresses clearinghouses and a committee on deaf/blindness. Please comment on Recommendations 51 and 52.

The Commission also endorses the establishment of an Office on Deafness and Communicative Disorders within the Department of Education. In your testimony you stated that such a unit had been established within the Office of Special Education and Rehabilitative Services (OSERS). I am very interested in the progress and goals of this entity. It is my understanding that you are considering a hearing person to head the new unit. I would hope that you would give serious consideration to a deaf person to lead this office.

Moreover, for years there has been an Office on Deafness and Communicative Disorders within the Rehabilitation Services Administration (RSA). What is the relationship betw[illegible] the newly created unit within OSERS and the office within RSA?

I have enclosed the transcript of your remarks for your review of testimony for necessary typographical and grammatical corrections. As you know, minor clarifying changes will be accepted if they do not change the original statements. Please return the transcript and your responses to these additional questions before April 29, 1988.

Again, thank you for testifying before the Subcommittee on the Handicapped.

Sincerely,

Tom Harkin

Tom Harkin
Chairman

TH/kb
Enclosure

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE ASSISTANT SECRETARY
FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JUN 16 1988

Honorable Tom Harkin
United States Senate
Chairman, Subcommittee
on the Handicapped
113 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Harkin:

Enclosed is the response to your letter of April 13, 1988 in which you request the Department's views on issues related to the recommendations of the Commission on the Education of the Deaf. I am enclosing comments to those recommendations for which Department comments are appropriate. I believe that these detailed comments address all of the specific questions you raised in your letter.

I am pleased to have the opportunity to provide you with this information. If there is any way I can be of further assistance, feel free to contact me at your convenience.

Sincerely,

Madeleine Will

Madeleine Will
Assistant Secretary

Enclosures

400 MARYLAND AVE., S.W. WASHINGTON, D.C. 20202

2. The Department of Education, in collaboration with the Department of Health and Human Services, should issue federal guidelines to assist states in implementing improved screening procedures for each live birth. The guidelines should include the use of high-risk criteria and should delineate subsequent follow-up procedures for infants and young children considered to be at risk for hearing impairments.

The need to identify hearing-impaired children as early as possible is well recognized. For some years, the Department has been supporting programs that provide early identification and early intervention to hearing-impaired children. Based on our experience with these programs, we will do all that we can to support the expansion and enhancement of effective screening procedures.

Specifically, OSERS and the Division of Maternal and Child Health, Bureau of Maternal and Child Health Resources Development (HHS) will convene a group of experts to determine the reasons for the problems and delays in identifying auditory sensory impairments in very young children. The group, which consists of pediatricians, audiologists, early childhood specialists, educators of the deaf, parents, and administrators, will develop recommendations for improving early identification procedures. Once the group issues its findings on the causes of these problems and delays, we will decide whether Federal guidelines would be useful and appropriate.

3. The Congress and the Department of Education should ensure that facilitating English language acquisition in students who are deaf (including vocal, visual, and written language) is a paramount concern guiding the implementation of exemplary practices; the establishment of program models; the determination of research priorities; the design of curricula, materials, and assessment instruments; and the provision of professional and parent training. Language acquisition should be a top priority in federally funded research.

The Department concurs that language acquisition is an important consideration in setting research priorities. Since 1983, the National Institute on Disability and Rehabilitation Research has funded a research and training center to study the psycholinguistic and linguistic aspects of deafness. In addition, together with leading linguists associated with the National Technical Institute for the Deaf, we have begun planning a national conference on psycholinguistics and deaf education. This conference will provide the Department with a set of specific priorities for research and demonstration programs.

4. The Department of Education should provide guidelines and technical assistance to state and local educational agencies and parents to ensure that an individual education program for a child who is deaf takes into consideration the following: severity of hearing loss and the potential for using residual hearing; academic level and learning style; communicative needs and the preferred mode of communication; linguistic, cultural, social, and emotional needs; placement preference; individual motivation; and family support.

The Department of Education believes that each of the factors identified by the Commission should be considered when designing an individualized education program (IEP) for any student who is handicapped. However, the educational needs of the child should be the principal concern of the IEP committee in making placement decisions. To the extent that any of the listed factors can affect the educational needs of any handicapped child, including one who is hearing impaired, these factors should be taken into account; similarly, persons performing evaluations should explore these factors where it is possible that the factors would provide information as to the child's educational needs. The information obtained from such an evaluation will often be vital to the people making IEP and placement decisions. The Department does not believe that any change in Federal policy is needed to achieve these objectives.

One factor mentioned by the Commission, placement preference, deserves additional comment. Central to Part B of the Education of the Handicapped Act (EHA-B) is the requirement that the placement decision be based on the individual educational needs of the child as recorded in the IEP, rather than having the educational program based on a predetermined placement decision. (See 34 CFR §300.552(a)(2).) In addition, the Department of Education fully supports the participation of the child in IEP meetings, whenever appropriate. In light of the regulatory distinction between IEP decisions and placement decisions (compare 34 CFR §§300.344-300.346 [IEPs] with 34 CFR §300.533(a)(3) [placement], and in light of the requirement that the educational program must be designed before placement options are considered, the Department of Education believes that caution must be exercised in deciding when to take into account a child's or other's placement preference. In order to ensure that placement is based on individual educational needs rather than the existing delivery system, the Department does not believe that a general discussion of the child's or other's preference as to the location of services has a proper place in determining the nature of the educational services that the child needs.

5. The Department of Education should refocus the least restrictive environment concept by emphasizing appropriateness over least restrictive environment.

The Department of Education believes that there is no conflict between appropriateness and the least restrictive environment. Therefore, the Department does not believe that a refocusing of concepts is needed. Placement decisions can properly be made only in the context of a decision on what constitutes appropriate education in the least restrictive environment for each individual child. Properly designed IEPs define the educational goals and services for each child based on the child's unique needs. Placement decisions must be based on the IEP. Consequently, the child should be placed in an educational setting in which the appropriate education specified in the IEP can be delivered.

Many local educational agencies have found that hearing-impaired students can succeed in regular school and often in regular classroom settings if they are provided the appropriate special education and related services needed to succeed in these settings. Our most recent child count figures show that almost 75 percent of deaf and hard-of-hearing children aged 3-21 are being served in regular classrooms (18.7%), resource rooms (21.0%), and separate classrooms within regular schools (34.6).

6. The Department of Education should issue a policy statement to permit consideration in placement decisions of curriculum content and methods of curricular delivery required by the nature or severity of the child's handicapping conditions.

The Department agrees that the design of each child's educational program should take into account matters of curriculum content and methods of curricular delivery. Whenever a child has special needs in these areas, they should be addressed in the child's IEP. The IEP in turn forms the basis for the placement decision. Thus, curriculum content and methods of delivery are routinely made a part of the placement decision. The quality of that consideration is properly dependent on the quality and completeness of the IEP. The Department does not believe that a further policy statement in this area is needed, since the Department has placed a priority for several years on encouraging schools to use a variety of methods of curricular delivery to assist children with special needs.

7. The Department of Education should issue guidelines and standards by which school officials and parents can, in selecting the least restrictive environment, consider potential harmful effects on the child or on the quality of services which the child needs.

The Department of Education believes that this responsibility is already spelled out, though technical assistance to school officials continues to be helpful. The Department's regulations, at 34 CFR §300.552(d), provide that, in selecting the least restrictive environment, there must be consideration of potential harmful effects on the child or on the quality of the services that the child needs. The emphasis in technical assistance activities supported by the Department is to ensure that each State and locality establish and implement procedures, policies, and standards consistent with Federal regulations, including the regulatory provision on harmful effects cited above.

8. The Department of Education should publish in the Federal Register a policy interpretation that removal from the regular classroom does not require compelling evidence.

We do not believe that publication of a policy interpretation is necessary. Neither the Department's regulations nor guidance issued related to the LRE provisions in the regulations support a "compelling evidence" standard. The Department of Education's monitoring of the implementation of EHA-B is also not based on a "compelling evidence" standard. The Department's compliance efforts are focused on determining whether the States are monitoring the localities to ensure that the localities have adequate standards to evaluate and place handicapped children with nonhandicapped children to the maximum extent appropriate. We monitor the States to determine that standards are based solely on educational reasons for removal and not on noneducational factors such as availability of space.

9. The Department of Education should monitor states to ensure that they maintain and nurture center schools as placement options as required by law.

An important element in the Department's monitoring is the assessment of whether each relevant public agency ensures that a continuum of alternative placements (including regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions) is available to meet the needs of handicapped children for special education and related services. The Department's monitoring efforts since 1985 do not indicate that an emphasis to ensure that States maintain and nurture center schools as placement options is necessary.

10. The Department of Education should monitor states to ensure the availability and appropriateness of integrative programs for students in center schools.

- The Department does monitor States to ensure that integrative programs in center schools are available to the maximum extent appropriate. The Department will continue to focus on this area. This means monitoring to ensure that the basic requirements for educating handicapped with nonhandicapped students to the maximum extent appropriate are met in both curricular and extracurricular activities and ensuring that State educational agencies monitor all educational agencies in each State in regard to these LRE considerations.

11. The Department of Education should issue a policy statement requiring that school personnel inform parents of all options in the continuum of alternative placements during each individualized education program conference.

According to the EHA-B regulations at 34 CFR §300.504(a), school district personnel must give parents written notice before the district:

(1) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child, or

(2) Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child.

The regulations further require that the written notice include an explanation of the public agency's action, and any options the agency considered and the reasons why those options were rejected. (34 CFR §300.505(a)(2))

While the policy of informing parents of the full range of alternative placements made available to children served by a particular public agency might be desirable, the law does not require that parents be informed of this continuum either at an IEP meeting or in a written notice. During the IEP meeting, parents must be allowed to participate in the determination of what educational and related services are appropriate for meeting the unique needs of their children and to participate in the determination of the extent to which their child will be able to participate in regular education programs. Parents must be informed only of those placement options in which their child's IEP could be implemented and still satisfy the statutory requirement that their child be educated with nonhandicapped children to the maximum extent appropriate.

While the Department recognizes and applauds the fact that placement matters are frequently discussed at the end of IEP meetings or at other meetings with parents, it is important to note that the EHA-B statute and regulations do not require that placement options be disclosed at IEP meetings. Thus, there is no legal basis for the Department to issue the recommended policy statement.

12. The Department of Education should monitor states to ensure that the evaluation and assessment of children who are deaf be conducted by professionals knowledgeable about their unique needs and able to communicate effectively in the child's primary mode of communication.

The EHA-B regulations, at 34 CFR §300.532, require that State and local agencies ensure that (among other things): tests and other evaluation materials are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so; tests and other evaluation materials are administered by trained personnel in conformance with the instructions provided by their producers; tests are selected and administered so as to reflect whatever the test purports to measure; and the evaluation is made by a multidisciplinary team including a teacher or other specialist in the area of suspected disability. Compliance with these requirements is addressed in the Department's monitoring efforts through an examination of the States' own monitoring of public agencies in each State, and through the States' procedures for reviewing and analyzing local agencies' applications for funds, including the policies and procedures included in those applications.

13. The Department of Education should encourage states to establish program standards for deaf students requiring special schools or classes.

While the Department supports development of program standards and encourages States to do so, it believes that responsibility for ensuring appropriate educational program standards properly resides with the States. The Office of the Assistant Secretary, OSERS, has assisted in the establishment of a parent task force for the development of guidelines for minimal standards in public schools serving hearing-impaired students. The group has a number of professionals assisting in the task. We expect that the guidelines will address the following topics:

- Standards for identification of hearing-impaired infants
- Standards for educational programs for hearing-impaired students
- Quality indicators for programs serving hearing-impaired students
- Review of certification standards for professionals working with hearing-impaired students in the classroom

We expect the work of the task force will take approximately one year and be completed sometime in Summer, 1989.

14. The Congress should approve a "Quality in Deaf Education" bill, that would provide incentives to the states to enhance the quality of services provided to students who are deaf.

The Department opposes legislation for the education of disabled children that focuses on single disabilities. It is the Department's position that the need for quality applies to all areas of education and the Department is fully committed to developing quality services for all disabled students. We further believe that the Education of the Handicapped Act provides sufficient incentives and requirements to ensure that appropriate services are provided to disabled students, including deaf students.

15. The Department of Education should take positive action to encourage practices under the Bilingual Education Act that seek to enhance the quality of education received by limited-English-proficiency children whose native (primary) language is American Sign Language.

The Office of Bilingual Education and Minority Languages Affairs (OBEMLA) -- the Office in the Education Department responsible for the administration of the Bilingual Education Act -- has not previously addressed the issue of whether American Sign Language should be treated as a language other than English for the purposes of the Bilingual Education Act. OBEMLA has never received an application designed to use American Sign Language to satisfy the native language requirements in the Bilingual Education Act, or designed to serve, as limited English proficient, students with difficulty functioning in all English classrooms who come from homes in which American Sign Language is used most for communication. We believe that this is an appropriate issue for the Department to examine further.

16. The Congress should amend the Education of the Deaf Act to (1) set certain priorities at the Kendall Demonstration Elementary School and the Model Secondary School for the Deaf, (2) require annual reports to Congress and the President, and (3) require an evaluation and report every 5 years by the Department of Education's liaison office.

If the Congress undertakes to amend the Education of the Deaf Act, the Department stands ready to assist in the development of legislative changes.

The Education of the Deaf Act already provides for an annual report to the Secretary for the Model Secondary School for the Deaf and requires the Secretary to submit that report, with any comments and recommendations, to the Congress. Program evaluation is one of the primary responsibilities of the Department. At present, the Department is in the process of developing guidelines for conducting evaluations of Gallaudet University programs, including the KDES and MSSD.

17. The Congress should increase funding to strengthen each Regional Postsecondary Education Program for the Deaf by providing a broader range of educational options, including vocational and technical training, 2-year junior colleges, and baccalaureate programs. The number of Regional Postsecondary Education Programs for the Deaf should be increased to five. The additional program should be established in the southwest region of the United States to provide greater geographical coverage of the nation.

We are generally supportive of initiatives that benefit students who are deaf. However, the Department of Education believes that we should not establish a separate system for the education of students who are hearing-impaired at the postsecondary level. An alternative approach to strengthen the regional programs in order to allow them to be more cost effective, and to serve a larger number of students, would be to have them provide a variety of services to postsecondary institutions within the region to be served. An excellent example of this approach is the existing Postsecondary Education Consortium established by the University of Tennessee. Six postsecondary institutions in six southeastern States are now serving students with hearing impairments through funding provided by the regional center at the University of Tennessee. In addition to technical assistance, this consortium provides in-service training for faculty and staff as well as peer-conducted evaluations for the purpose of expanding educational programming, verifying adequate support services, and ensuring that the programs are of high quality.

18. A 5-year competitive funding cycle should be established for the Regional Postsecondary Education Programs for the Deaf.

The Department fully supports this recommendation. Moving the programs to a five-year funding cycle would allow programs to develop needed continuity while maintaining the important benefits of competitive peer review. We plan to implement a five-year cycle in FY 1989.

19. The Congress should authorize funds for each Regional Postsecondary Education Program for the Deaf to provide exemplary adult and continuing education programs within their respective regions and to assist other local educational institutions in providing such programs to adults who are deaf.

Continuing education and adult services are traditionally provided at the State and local levels. The authorization for this program already permits provision of exemplary adult and continuing education programs and dissemination of model programs. The statute authorizes development, operation, and dissemination of specially designed model programs of postsecondary, vocational, technical, continuing and/or adult education. The Department is considering increasing the emphasis on these activities for the next competition.

The relationship between this recommendation and the Commission's recommendation to establish 10 comprehensive service centers is unclear and could result in duplication and fragmentation of efforts. In addition, the National Technical Institute for the Deaf has proposed a consortium approach to meeting the adult and continuing education needs of the deaf. The issue of providing adult and continuing education services to deaf adults, including the role of current Federal programs, merits thorough study and should be considered in conjunction with the Comprehensive Service Center and Consortium proposals. These proposals are discussed following recommendation number 20.

20. The Congress should establish one comprehensive service center in each of the 10 federal regions of the United States. These centers may be located in existing facilities or may be stand-alone units. The Commission further recommends that the centers be funded through a competitive bid process.

There are currently two proposals to serve unmet needs of the adult deaf community for whom currently available higher education programs are not appropriate. One is the Commission's proposal to start a network of 10 regional centers to provide training and assessment to adults who are deaf.

The Department of Education opposes the establishment of a comprehensive service center in each of the ten federal regions. Although the Commission's recommendations do not provide specific information about the kinds of services such centers should provide, it is obvious that there would be extensive duplication of efforts already in place, not only at the State but also at the local levels. This is an activity that is more appropriately conducted at the State and local levels. Existing community-based services could be strengthened with local and private resources so that individuals who are deaf can be more appropriately served.

Another proposal was developed by Dr. William Castle of the National Technical Institute for the Deaf (NTID) and was recently presented to the House Subcommittee on Select Education. It involves a joint approach to the problem by NTID, the Regional Postsecondary Education Program for the Deaf (RPEPD), and Gallaudet University. A consortium would be formed which would be headed by a Council of Directors composed of the directors of NTID, the RPEPD, and Gallaudet University. It would have six regional coordinators and 6 regional advisory councils. Ex-officio members to the Council of Directors would include the Council of State Administrators of Vocational Rehabilitation, and the National Association of State Directors of Special Education. The mission, as stated in the proposal, would include preventive education and the development of programs for elementary through postsecondary school programs, employers, vocational rehabilitation agencies, individuals, and the helping professions.

The Department has not fully evaluated NTID's proposal, partly because the plan is still in a very rough form. However, there are a number of issues that need to be addressed before the potential benefits of the proposal can be seriously evaluated. For example, the activities described are vague and seem overly ambitious. The proposal does not make clear whether the consortium would be performing research, providing recommendations, or providing direct services. Establishment of yet another federally supported entity might duplicate existing efforts at the Federal, State, and local level. The population to be addressed is different from the one currently served by the three primary programs included in the consortium proposal and has different abilities and needs than the populations they serve.

It would be precipitous of Congress to support a particular proposal at this point until all of the Commission's recommendations have been thoroughly reviewed and all alternatives have been considered.

21. The Congress should amend the Education of the Handicapped Act and the Education of the Deaf Act to direct the Department of Education's liaison office to: (1) coordinate the activities of Gallaudet University, the National Technical Institute for the Deaf, and the Regional Postsecondary Education Programs for the Deaf to ensure quality of the programs and to avoid unnecessary duplication; (2) review and comment on workplans relating to research, demonstration and evaluation activities, technical assistance, and development of instructional materials; and (3) assist in the preparation of budget requests.

The Department of Education agrees that strengthening the Department's role is desirable and would ensure better coordination among the programs and result in more effective planning for the use of resources and consistent program monitoring. However, the Department believes that it may be premature to amend the provisions of the Education of the Deaf Act of 1986 and the Education of the Handicapped Act. The Education of the Deaf Act of 1986 significantly expanded the monitoring and evaluation responsibilities of the Secretary. In response, the Department has taken several steps to exercise further oversight over these institutions. These include transferring programmatic responsibility for the Special Institutions for the Handicapped to the Office of Special Education and Rehabilitative Services. The immediate Office of the Assistant Secretary will coordinate the efforts of various offices within the Department that address the needs of hearing-impaired people and serve as a focal point for activities related to these schools. An example of a new effort is an initiative to develop guidelines for a programmatic evaluation of Gallaudet University that will begin in the latter part of 1988.

22. The Department of Education should conduct program evaluations at Gallaudet University, the National Technical Institute for the Deaf, the Regional Postsecondary Education Programs for the Deaf, and proposed comprehensive service centers on a 5-year cycle, and submit a report of its evaluation with recommendations, including specific proposals for legislation, as it deems advisable, to the authorizing committees of the Congress. The evaluation team should consist of outside experts in the field of deafness, program evaluation, education, and rehabilitation, including persons who are deaf.

The Department of Education concurs with this recommendation. Section 405 of the Education of the Deaf Act provides general authority for the Department to conduct this type of activity. The Department is planning to bring together a group of independent and highly qualified professional consultants to help plan the evaluation. The Department has contacted several accreditation agencies, listed below, to assist in that process.

a) Council on Postsecondary Accreditation
b) Middle States Commission on Higher Education
c) Maryland State Board for Higher Education
d) Virginia State Council of Higher Education
e) National Council for Accreditation of Teacher Education

The Department will develop the evaluation in close cooperation with the appropriate institutions, Gallaudet University, and the National Technical Institute for the Deaf. This is an important first step, because any evaluation must be credible to professionals in the field of deafness, to Congress, and to other parties. The Department expects the plan to be completed by the end of fiscal year 1988. The full study of Gallaudet University should begin shortly thereafter. Wherever possible, the Department will coordinate its evaluation efforts with ongoing accrediting studies by appropriate accrediting agencies. We believe, however, that because of the uniqueness of these institutions, additional studies are needed.

23. The National Technical Institute for the Deaf should be permitted to admit foreign students who are deaf. However, the number of deaf foreign students should be limited to 10 percent of the student body at both Gallaudet University and the National Technical Institute for the Deaf. Tuition should be increased to foreign students to cover 75 percent of the average per student costs at these two institutions.

The Department believes that foreign students who attend Gallaudet University or the National Technical Institute for the Deaf should not be subsidized by the Federal Government. We believe that tuition for foreign students should cover the full cost of their education and related services. The following is additional information related to tuition charges for foreign students attending these schools.

Taking into consideration such variables as the number of foreign students enrolled and the amount of tuition charged, the cost implications could be significant in any given year. The Senate Appropriations Subcommittee asked NTID this past year what percentage of total per pupil cost at NTID is covered by tuition. NTID responded that deaf students paid $2,385 in fiscal year 1987 for tuition, only 15 percent of the total education-related cost of $15,900. NTID has requested that they be permitted to charge foreign students the same tuition as Gallaudet. In school year 1986-87, Gallaudet charged foreign students $2,862. This would cover only 18 percent of the total average educational cost per student at NTID. The Federal Government would have had to contribute the additional 82 percent.

The current cost of subsidizing foreign students at the University is substantial. The General Accounting Office estimated that the average total cost per student for school year 1984-85 was $25,282. The Federal share of this cost was $19,669 or 78 percent. For foreign students, who paid a 50 percent surcharge on the tuition paid by American students, the Federal share of the total cost per student was approximately 74 percent. Based on an average enrollment figure of 200 foreign students per year and the figures supplied by GAO, the Department estimates that the approximate Federal cost of subsidizing foreign students at Gallaudet was $3,755,000 in 1985.

In school year 1986-87, Gallaudet reduced its surcharge for foreign students from 50 percent to 20 percent. In fiscal year 1987, this policy change resulted in a tuition loss to the University of $153,117; $133,083 from 186 undergraduate students and $20,034 from 28 graduate students.

24. The Congress should deny Gallaudet University the latitude to accept hearing students to its baccalaureate programs.

Admission policies are the responsibility of the Board of Trustees. However, the Department takes the position that the annual Federal appropriation should not be used to subsidize the education and related costs of undergraduate students who have normal hearing, other than those enrolled in the interpreter training program.

25. Gallaudet University, the National Technical Institute for the Deaf, and the schools participating in the Regional Postsecondary Education Programs for the Deaf should continue to strengthen the positive efforts they have already made in recruiting, hiring, and promoting qualified applicants and employees who are deaf.

Recruiting, hiring, and promoting employees are the responsibilities of the institutions. The Department encourages the institutions to recruit, hire, and promote qualified employees with handicaps. The employment practices of these institutions are also subject to Federal civil rights laws.

26. The Congress should amend the Education of the Deaf Act to require that a majority of the members of the governing and advisory bodies of Gallaudet University, the National Technical Institute for the Deaf, and the Regional Postsecondary Education Programs for the Deaf be persons who are deaf.

The Department supports the principles of self-determination and independence for persons with handicaps, including participation in the direction of programs providing services to groups of persons with handicaps. Although the appointment of Board members is the responsibility of the governing body of the institution, the Department opposes quotas in hiring based on race, sex, or handicapping condition.

27. The Congress should establish a National Center on Deafness Research within Gallaudet University. Present funding at Gallaudet University for research-related purposes would not necessarily be increased, but would be managed by the Center. A significant portion of the Center's research funds should be awarded competitively to other qualified research organizations.

The Department does not support the establishment of a National Center on Deafness Research within Gallaudet University. Federal funds for research in deafness should be managed by the Department, through OSERS components dealing with research, and not by a private institution. The Federal Government has objective peer review procedures, utilizing experts in the field to review applications, that ensure fair and open competition.

28. The Congress should direct Gallaudet University and the National Technical Institute for the Deaf to develop concrete research plans and to provide them for public comment by consumers and researchers. The projects should then be selected in conjunction with a program review process involving (principally) the best researchers in the field.

Although the Department believes that Federal funds for research in deafness should be managed by the Department, to the extent that Gallaudet and NTID continue to conduct research activities, the Department concurs with this recommendation. This input will help ensure that research conducted by the schools is topical and non-duplicative. Consistent with the Commission's recommendations related to the role of the Department's liaison officer, the Department should review and comment on workplans relating to research.

29. The Department of Education should require state educational agencies to conduct statewide planning and implementation activities, including the establishment of program and personnel standards that specifically address the educational and psychological needs of families with young children who are deaf. Individuals working with young deaf children and their families should be professionally trained in the area of deafness and early intervention.

The Department believes that existing law is responsive to the recommendation to require State educational agencies to conduct statewide planning and implementation activities to address the educational and pyschological needs of families with young children who are deaf. Under the Preschool Grant program authorized under section 619 of Part B of the Education of the Handicapped Act, State educational agencies may set aside up to 20 percent of their grant award for planning and developing a comprehensive service delivery system for all handicapped children, including those who are deaf, from birth through age five. In addition, the Handicapped Infants and Toddlers program authorized under Part H of the Act specifically emphasizes the importance of the family as a component of any service delivery system. Under this program, early intervention services include, but are not limited to, family training, counseling, and home visits. Training funds are also available under the special education personnel development program to assist States in ensuring that there is an adequate supply of qualified teachers to meet the needs of all handicapped children.

The establishment of personnel standards is a State responsibility. However, the Education of the Handicapped Act Amendments of 1986 require that States set forth in their State plans and Part H applications policies and procedures relating to the establishment and maintenance of standards to ensure that personnel working with handicapped infants, toddlers, children, and youth are appropriately and adequately prepared and trained. The statewide system required under Part H includes a comprehensive system of personnel development. The Department believes that these statutory requirements, which will be reviewed and monitored, are sufficient.

30. The Department of Education should require that at least one member appointed to each State Interagency Coordination Council be knowledgeable about deafness.

The Department does not have the legal authority to implement this recommendation. Part H, section 682 of the EHA, requires that the State Interagency Coordinating Councils be composed of 15 members who represent the population of the State. The Council must be composed of at least three members who are parents of infants and toddlers with handicaps or of handicapped children aged three through six, three public or private providers of early intervention services, one representative from the State legislature, and one person in personnel preparation. Additional members includes representatives of each of the appropriate agencies involved in the provision of or payment for early intervention services to eligible children under the Part H program, and others selected by the Governor.

31. The Department of Education should ensure that grants for personnel training be targeted to personnel providing special services, preschool, and early intervention services to deaf children, from birth to age 5, and their families. Training should also be provided to adults who are deaf to prepare them to work as facilitating team members in local intervention programs.

The Department recognizes the need to train appropriate personnel to serve all infants and preschool children with handicaps, including those who are deaf. Funding currently is available to States for this purpose in several programs under the Education of the Handicapped Act. Under the State Grant program and Preschool Grant program, States may use funds for in-service training of special education and related services personnel to meet the needs of handicapped children in their States. In addition, under the Special Education Personnel Development program, grants are awarded to State agencies for inservice training of personnel to serve preschool handicapped children, including children who are deaf. Funds are also awarded to universities for preservice training of appropriate individuals, and these institutions are required to ensure that such training is consistent with the State's plan for special education teacher training required under EHA's Comprehensive System of Personnel Development (CSPD). In addition, parents who are handicapped may be provided training and information through the Parent Training and Information program under Part D of EHA. We believe that the needs of deaf children and their families are adequately addressed through these broad and flexible programs, and that mandatory targeting on deafness, or other specific disabilities, is not necessary.

32. The Department of Education should provide guidelines for States to include in their state plans such policies and procedures at least as stringent as those set by the Council on Education of the Deaf, to ensure that professionals in educational programs for students who are deaf are adequately prepared and trained.

33. The Department of Education should require states to ensure that persons employed to teach in special education programs demonstrate competence in the instructional practices and communication methods utilized within those programs.

34. The Department of Education should require states to ensure that regular classroom teachers serving students who are deaf in their classes: (1) receive the necessary technical assistance; and (2) receive training to meet the special educational needs of the students.

The Department believes that the matter of educational program standards properly resides with the States. Therefore, the Department's position in regard to recommendations 32-34 is as follows:

The Department of Education agrees that the training and retraining of teachers and other personnel providing services to handicapped students is a vital priority for all public entities involved in special education. The issue of the role of the Federal Government in determining qualifications in a State was addressed by Congress in Pub. L. 99-457, the Education of the Handicapped Act Amendments of 1986, with identical language included in Parts B and H of EHA.

The Department's understanding of the statute is that Congress intended the Department to play an important role in supporting personnel development in the States, but to play a relatively limited role in the setting of particular standards for particular job categories.

35. The Congress should re-establish Federal support for teacher preparation, including the recruitment of highly qualified applicants, in the field of education of the deaf. Priority for fellowships to qualified applicants should be awarded to members of minority groups and persons who are deaf.

The Department provided about $60 million in 1987 for special education competitions for projects providing training for special education professions in a host of special education and related service areas, including the education of the deaf. The exact number of traineeships and areas of specialization are determined by the number and types of successful applications submitted to the Department. If data indicate a particular need for additional projects specializing in training educators of the deaf, the Department can and will direct a targeted funding priority to this area. While a priority for applicants in certain special populations may be appropriate, based on their unique abilities, skills, or potential, the Department would oppose a priority that conditioned participation in a Federal program on race, sex, or handicapping condition.

36. The Department of Education, in consultation with consumers, professionals, and organizations, should provide guidelines for states to include in their state plans such policies and procedures for the establishment and maintenance of standards to ensure that interpreters in educational settings are adequately prepared, trained, and evaluated.

The Department agrees that interpreters should be trained in accordance with professionally recognized standards. However, it should remain the responsibility of States, relying as appropriate on nationally recognized organizations of experts such as the Registry of Interpreters for the Deaf, to adopt appropriate standards for the training of all professionals required to serve handicapped children under Part B of the Education of the Handicapped Act.

37. The Congress should provide funding to develop training programs, design curricula, and award stipends to recruit and train potential and working educational interpreters.

Present funding is adequate for these tasks. The Interpreter Training Program, authorized by Section 304(d) of the Rehabilitation Act of 1973, has been in operation since 1980. This program has authority to train all types of interpreters, including educational interpreters. Ten programs are currently funded for a total of $900,000. They provide long term training, as well as workshops and seminars. New interpreters are trained, as well as working interpreters who seek to maintain and improve existing skills.

A Task Force on Educational Interpreting has been working for the past few years to provide direction and make recommendations for the improvement of the training of educational interpreters. The Task Force is based at NTID and includes representation from the Rehabilitation Services Administration.

The Department is also presently conducting an evaluation of the RSA Interpreter Training program which will evaluate the effectiveness of the Federal program and examine the need for additional qualified interpreters. The Department intends to evaluate the results of this study before making recommendations related to the appropriate level of funding for interpreters or targeting funds toward subspecializations within the field of interpreting.

38. The Congress should fund section 315 of the Rehabilitation Act. The Department of Education should establish standards for interpreters in the field of rehabilitation and other human service settings.

The Department does not believe that section 315 should be funded at this time. We are currently conducting an evaluation of the Federal Interpreter Training Programs to determine the effectiveness of the programs and the need for additional qualified interpreters. In addition, the provision of interpreters for all needs should be the responsibility, not of the Federal Government, but of States and local governments. States and local governments should be encouraged to train and employ interpreters to meet their needs.

Responsibility for the establishment of standards for interpreters for deaf individuals rests with the State professional and consumer organizations in the field of deafness and with the National Registry of Interpreters for the Deaf. The Registry of Interpreters is currently working with professional interpreters and consumers to establish varying levels of certification that will meet existing needs in the field.

39. The Department of Education should provide an increased number of traineeships for trainees specializing in deafness.

The Department provided over $900,000 in funding for the training of rehabilitation professionals specializing in the rehabilitation of the deaf in 1987 and 1988. This allocation represented an increase over past years, and was based on needs data collected from State agencies and rehabilitation facilities. The Department does not believe that the available data indicates that an increased allocation is warranted at this time.

41. The Congress should establish a Corporation of Closed Captioning, to coordinate the distribution of federal funds for captioning projects. The Corporation would neither perform captioning services, nor compete for funds with captioners.

The Department believes that existing methods to coordinate the distribution of Federal funds for captioning through the EHA are adequate. The Department does not believe that the creation of a Corporation of Closed Captioning to fund closed captioning is necessary or desirable.

The Department believes that as a result of the rapid growth of non-Federal support for closed captioning, as well as in view of the increasing numbers of for-profit captioning companies in the market, it may no longer be necessary or appropriate for the Federal Government to cover 100 percent of the costs of some captioning. The Department is reevaluating its funding policies for closed captioning, in order to stimulate a more competitive market and expand the support of small scale projects. This past year, the Department funded several small projects to close caption local television news.

To increase viewership and improve these services, the Department has also met with representatives of the major television networks, and will establish an Advisory Board for Closed Captioning, reporting to the Assistant Secretary. Initially, the membership of the Board will consist of representatives from the four major networks (NBC, ABC, CBS, and PBS). If need be, this Advisory Board will be expanded on the basis of the captioning issues that need to be addressed.

43. Federal proceedings and meetings should be communicatively accessible for people who are deaf through captioning, assistive listening devices, and interpreters (when needed and arranged for in advance).

The Department complies with and enforces Title V of the Rehabilitation Act of 1973, which requires accessibility for the handicapped to federally conducted programs.

44. Instructional materials financed and/or disseminated by the federal government, including materials for public viewing and employment training, should have open captions.

The Department of Education instructed the National Institute on Disability and Rehabilitation Research-chaired Interagency Committee on Disability Research to develop guidelines for Federal agencies to ensure that films produced by Federal agencies are open captioned. The report is expected to be completed later this summer.

46. The Congress should provide funds for research, development, acquisition, and maintenance of technology to be used for persons who are deaf.

The Department of Education believes current funding levels are adequate and continues to support the effective use of technology in all educational settings. The EHA and Rehabilitation Act Amendments of 1986 support research, dissemination, and technical assistance activities related to the development, production, and marketing of technology for all persons who are handicapped, including those who are deaf. For example, the National Institute on Disability and Rehabilitation Research supports research and demonstration projects focusing on developing a new generation of hearing aids, technology for sensory devices for the deaf and hard of hearing, tactile aids, a deaf-blind computer terminal interface, and a speech language training device for the hearing-impaired.

47. Federally funded school systems should specify accessibility of electronic equipment to persons with disabilities when such equipment is procured, leased, or rented for faculty, staff, or students.

The Department, in response to P.L. 99-506, section 603, which added section 508 to Title V of the Rehabilitation Act of 1973, developed guidelines to make electronic equipment purchased by the Federal Government accessible to users with disabilities. Section 508 did not extend this requirement to Federally assisted activities. The Department has not sufficiently analyzed the impact of this recommendation to state a position on its feasibility.

48. The Congress should support new and existing assistive devices resource centers to provide information and instruction on the latest technological advances for persons who are deaf.

The Department's position is that existing technological resource centers should be maintained at their current level. In response to the Rehabilitation Act Amendments of 1986, two additional Rehabilitation Engineering Centers were funded to demonstrate and disseminate innovative models for the delivery of cost effective rehabilitation engineering services. Comments on recommendation #46 provide additional information on what the Department is currently doing.

49. The Department of Education should support national symposia on media and technology to provide information on the most recent advances in applied technology for individuals who are deaf.

The Department considers symposia an effective means for dissemination, and will use such means when necessary and appropriate.

50. The Department of Education should implement the following administrative improvements in the Media Services and Captioned Films program: lessen the gap between costs incurred and reimbursements, continue to make more prints available to depositories, increase the number of new titles distributed yearly, provide more information to schools about the program, continue to eliminate old films and update others, shorten the time required for distribution, and investigate the use of current technology to enhance the captioning of films and media.

Changes have been underway in the captioning process, e.g., computerized techniques to speed up the manufacturing of captioned negatives and 3/4" captioned video masters to produce release prints in both 16mm and 1/2" video formats. The use of 1/2" videos will eventually allow each depository to be fully stocked. Another recent development is the transfer of study guides to a computerized system so that a copy of the guide is included with each booking confirmation.

During FY 1988, the Department, through the Division of Educational Service's Captioning and Adaptation Branch, will caption an additional 110 educational titles. This is the approximate number of new titles added to the collection yearly.

Also, approximately 500 captioned 16mm titles currently in our depositories will be transferred to VHS format. This is in keeping with the trend toward increased use of videocassette players.

Investigating current technology to enhance the captioning of films and media is an ongoing activity of the Captioning and Adaptation Branch.

51. The Congress should require the Department of Education to strengthen public awareness of its clearinghouses by providing toll-free access to the best of these services and by funding captioned public service announcements.

Congressional action is not needed. The National Information Center for Children and Youth with Handicaps and the Heath Resource Center are receiving Federal support for toll-free access. Because of changes in the FCC ruling regarding free public service announcements, the Department has not entered into contracts to develop new public service announcements for clearinghouse services. If the Department should find ways to have access to cost effective TV announcements as it had in the past, it certainly will ensure that these announcements will be open captioned.

52. The Department of Education should establish a Committee on Deaf-Blindness to make a study of the needs of persons who are deaf and blind, and to make a report of its findings and recommendations.

The Department has conducted a number of evaluation studies of the needs of deaf-blind persons over the past few years and has responded to their recommendations. Additional studies are under consideration to determine whether funds expended on projects serving this population are being effectively used. In view of these developments, the Department does not feel it advisable at this time to create a special Committee on Deaf-Blindness.

Senator **Harkin**. Thank you very much for coming. We appreciate your testimony.

Let us call the third panel, Dr. I. King Jordan, the President of Gallaudet University; Dr. William Castle, the Director of the National Technical Institute for the Deaf, and Robert Lauritsen, St. Paul Technical Institute, who was already introduced by Senator Boschwitz.

Again, I want to welcome you here. I have copies of your testimonies as well as all of the others, which will be made a part of the record in their entirety, and I would ask each of you to take a few minutes to summarize your statements. I would start first with Dr. Jordan, who—well, let me put it this way, if fame and fame based upon good work and strong principles means anything in our society, now that so many people now know who Dr. Jordan is in America, that perhaps there should be another presidency he might think about, rather than just Gallaudet.

Welcome very much, Dr. Jordan, and I welcome you first.

STATEMENTS OF I. KING JORDAN, PRESIDENT, GALLAUDET UNIVERSITY, WASHINGTON, DC; WILLIAM E. CASTLE, DIRECTOR, NATIONAL TECHNICAL INSTITUTE FOR THE DEAF, ROCHESTER, NY; AND ROBERT R. LAURITSEN, DIVISION MANAGER, ST. PAUL TECHNICAL INSTITUTE, ST. PAUL, MN

Mr. **Jordan**. Thank you, Mr. Chairman, for the kind words. I appreciate the opportunity to appear before this Committee and to comment on the report of the Commission on Education of the Deaf.

I am pleased to be joined today by the newly elected chair of our Board of Trustees, Mr. Phil Bravin. Also with me today are members of the Gallaudet faculty, staff and some students. I bring you greetings from those who are not here, including the 225 students among our student body who take great pride in attending Gallaudet University as constituents of members of this Committee.

Gallaudet is now entering a new era. Our campus community is energized and has a sense of renewed commitment to our unique mission as a distinguished special university. The events of the past two weeks have brought a heightened sensitivity with respect to the role of deaf people and the value of deaf culture to Gallaudet University and, I believe, to our society as a whole. Our Board of Trustees has already acted on the Commission recommendation to increase representation of deaf persons among its membership. As our review and response to the Commission report continues, I want to assure this Committee that we shall utilize this new energy to bring a fresh perspective to the issues facing Gallaudet University.

We have appreciated the opportunity to work with the Commission on Education of the Deaf in examining a number of important issues relevant both to postsecondary education and to the field in general. The 18-month effort by the Commission provided a forum for numerous individuals and groups to share their common concerns about the status and future of deaf education.

In general, the recommendations of the Commission speak to positive ways in which our field may be improved and deaf constituencies served better. In particular, the Commission has identified ways in which the Federal Government can enhance its role in the education of deaf people.

We applaud the efforts of the Commission, but hasten to add that we hold serious reservations with regard to certain recommendations related to Gallaudet University. We see some of them as inappropriately limiting our ability to play a leadership and global role in serving deaf people. We must, therefore, disagree with those having to do with research, international student enrollment, oversight, admission of hearing students and the role of our two national demonstration schools. I have already convened a working group which will prepare detailed analysis and response to each set of recommendations made by the Commission.

As I indicated earlier, we at Gallaudet University look forward to working with you to determine the most appropriate next step. I trust that today marks the beginning of a new dialogue which will continue over the months to come. I would ask the Committee to please consider my brief tenure as President of Gallaudet University and to afford me the opportunity to work with my administration in setting an agenda for Gallaudet prior to any legislative action which might be contemplated as a result of the Commission report.

Again, we wish to applaud the foresight of Congress, which established this Commission with the same legislation that granted university status to Gallaudet. With our recent recognition as a university, we welcome the added responsibility for assuming a greater leadership role and ensuring excellence in all of Gallaudet's programmatic endeavors.

This then is an historic occasion, for it brings together those people who have worked diligently to be responsive to a national and international need. I am confident that the report of the Commission could, when thoroughly analyzed and reviewed, provide a base for needed improvements.

Your commitment to ensuring increased opportunity for deaf people, both through legislation and through your continued interest, has made it possible for me, as a deaf person, to sit here today as President of Gallaudet University and prove, in fact, that the only thing deaf people cannot do is hear.

Thank you.

[The prepared statement of Dr. Jordan and additional information supplied for the record follows:]

STATEMENT OF
DR. I. KING JORDAN
PRESIDENT
GALLAUDET UNIVERSITY
SENATE SUBCOMMITTEE ON THE HANDICAPPED
MONDAY, MARCH 21, 1988

Mr. Chairman, I appreciate the opprtunity to appear before this Committee and to comment on the report of the Commission on the Education of the Deaf. I am pleased to be joined today by the newly elected chair of our Board of Trustees, Mr. Phil Bravin. Also with me today are members of the Gallaudet faculty, staff and some students. I bring you greetings from those who are not here, including the 225 students among our student body who take great pride in attending Gallaudet University as constituents of members of this Committee.

Gallaudet is now entering a new era. Our campus community is energized and has a sense of renewed commitment to our unique mission as a distinguished special university. The events of the past two weeks have brought a heightened sensitivity with respect to the role of deaf people and the value of deaf culture to Gallaudet University and, I believe, to our society as a whole. Our Board of Trustees has already acted on the Commission recommendation to increase representation of deaf persons among its membership. As our review and response to the Commission report continues, I want to assure this Committee that we shall utilize this new energy to bring a fresh perspective to the issues facing Gallaudet University.

We have appreciated the opportunity to work with the Commission on the Education of the Deaf in examining a number of important issues relevant both to post secondary education and to the field in general. The eighteen month effort by the Commission provided a forum for numerous individuals and groups to share their common concerns about the status and future of deaf education.

In general, the recommendations of the Commission speak to positive ways in which our field may be improved and deaf constituencies served in better ways. In particular, the Commission has identified ways in which the federal government can enhance its role in the education of deaf people.

We applaud the efforts of the Commission, but hasten to add that we hold serious reservations with regard to certain recommendations related to Gallaudet University. We see some of them as inappropriately limiting our ability to play a leadership and global role in serving deaf people. We must, therefore, disagree with those having to do with research, international student enrollment, oversight, admission of hearing students and the mission of our two national demonstration schools. I have already convened a working group which will prepare detailed analysis and response to each set of recommendations made by the Commission.

As I indicated earlier, we at Gallaudet University look forward to working with you to determine the most appropriate next step. I trust that today marks the beginning of a new dialogue which will continue over the months to come. I would ask the Committee to please consider my brief tenure as President of Gallaudet University and to afford me the opportunity to work with my administration in setting an agenda for Gallaudet prior to any legislative action which might be contemplated as a result of the Commission report.

Again, we wish to applaud the foresight of Congress, which established this Commission with the same legislation that granted University status to Gallaudet. With our recent recognition as a University we welcome the added responsibility for assuming a greater leadership role and ensuring excellence in all of Gallaudet's programmatic endeavors. This then, is an historic occasion for it brings together those people who have worked diligently to be responsive to a national and international need. I am confident that the report of the Commission could, when thoroughly analyzed and reviewed, provide a base for needed improvements.

Your commitment to ensuring increased opportunity for deaf people both through legislation and through your continued interest has made it possible for me, as a deaf person, to sit here today as President of Gallaudet University and prove, in fact, that the only thing deaf people can't do, is hear. Thank you.

EDWARD M. KENNEDY, CHAIRMAN

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United States Senate
COMMITTEE ON LABOR AND
HUMAN RESOURCES
WASHINGTON, DC 20510-6300

April 11, 1988

I. King Jordan
President
Gallaudet University
800 Florida Avenue, N.E.
Washington, D.C. 20002

Dear President Jordan,

I love saying that.

I want to thank you for testifying before the Subcommittee on the Handicapped and for your gracious letter. I, too, was very pleased with the hearing and look forward to meeting with you. Your enthusiasm and the energy at Gallaudet has truly motivated us all.

As we discussed at the hearing, I am very interested in your thoughts on the recommendations made by the Commission on the Education of the Deaf regarding activities at Gallaudet. I would appreciate your supplying me with written comments on each recommendation addressed to your university. If possible, I would like to receive your comments before April 29, 1988.

I am enclosing your remarks from the hearing for your review for necessary typographical and grammatical corrections. Please make all corrections in a contrasting color directly onto the transcript, and return to me.

Again, thanks for testifying before the Subcommittee. I look forward to working with you.

Sincerely,

Tom

Tom Harkin
Chairman

TH/kb
Enclosure

GALLAUDET UNIVERSITY
Office of the President
800 Florida Avenue, N.E.
Washington, D.C. 20002
(202) 651-5005

April 19, 1988

The Honorable Tom Harkin, Chairman
Subcommittee on the Handicapped
113 Hart Senate Office Building
Washington, D.C. 20510

Dear Sen. Harkin:

Thank you for your kind letter of April 11. I'm certainly happy you "love" writing to "President" Jordan because, to be perfectly honest, I love reading it!

The energy here on Kendall Green continues at a high level and I believe we are successfully harnessing that spirit, enthusiasm and talent to make Gallaudet University the national and international leader and resource for deaf people and programs.

I am grateful for the additional time you afforded me in preparing the University's response (here attached) to the COED report. It is my understanding that you and I are scheduled to meet on May 11 and I look forward to discussing this report and matters relating to Gallaudet's FY 1989 appropriation at that time.

In the meantime, if you or your staff have questions relating to our response, or I can be of service to you in any way, please do not hesitate to call me.

With warmest regards.

Sincerely,

I. King Jordan
President

IKJ/mtd

GALLAUDET STATEMENT ON TOWARD EQUALITY

REPORT OF THE NATIONAL COMMISSION ON EDUCATION OF THE DEAF

EXECUTIVE SUMMARY

- Gallaudet University commends the National Commission for the thoroughness and energy with which it accomplished its important task.

- Gallaudet University supports the majority of the recommendations of the National Commission on Education of the Deaf, especially in the following areas:

  Prevention and early identification of deafness

  Improvements in elementary and secondary education for deaf students

  Application of the Bilingual Education Act to deaf students

  Regional Postsecondary Education Programs for the Deaf

  Affirmative action for deaf employees in federally supported programs serving deaf students

  Increased federal support for research on deafness

  Improvements in professional standards and training in the field of deafness

  Increased support for technology to support deaf people, especially in the areas of captioning, instruction, and assistive devices.

  Increased support for information clearinghouses on deafness

  Increased support for deaf/blind people.

- Gallaudet indicates its interest in supporting the implementation of these goals through its leadership role in the education of the deaf and through application of its considerable resources in research and outreach.

- Gallaudet disagrees strongly with several of the Commission's recommendations that would severely constrain its programs and would impede accomplishment of its mission. Gallaudet opposes the recommendations that would:

  Redefine the mission of the Model Secondary School for the Deaf

  Greatly increase federal program oversight for Gallaudet

  Severely limit Gallaudet's ability to educate international students

  Deny Gallaudet University the latitude to accept hearing students into its bachelor's degree programs

  Severely restrict Gallaudet's expenditures on research and development

  Greatly increase oversight and external control over Gallaudet research programs.

- Gallaudet thanks the Commission for recognizing the high quality of its research programs and the Congress for permitting this response to the Commission's recommendations.

GALLAUDET STATEMENT ON TOWARD EQUALITY
REPORT OF THE NATIONAL COMMISSION ON EDUCATION OF THE DEAF

Introduction

Gallaudet University appreciates the opportunity to respond to the report of the Commission on Education of the Deaf and commends the Commission for the development of its challenging recommendations. As a major source of resources in the field of deafness, Gallaudet University sees its leadership role complementing the intention of the report and intends to provide whatever support it can in implementation of the recommendations.

Our overall response to the Report of the Commission is one of support. However, as indicated in oral testimony before the Senate Subcommitte on the Handicapped on March 21 and before the House Subcommittee on Select Education on March 31, 1988, we disagree with several of the recommendations, especially as they apply to Gallaudet's programs. We will comment more extensively on these areas in our review of the report's individual chapters.

For example, we are particularly concerned with the recommendation which could dilute our directed research efforts, efforts which we believe (evidenced by citation in the Report) proved very useful to the Commission itself in formulating its recommendations. We are also very troubled by the recommendation which would effectively exclude international students (including Canadians) from our university. Such exclusion would be contrary to our unique historical mission to provide higher education for the world deaf community, a mission which has brought good will to the United States in many parts of the world. Finally, we realize that because a large part of our funds come from the federal government, there is legimate public interest in how these funds are spent. However, as Gallaudet is an independently chartered institution of higher education, we are disturbed by the recommendations that call for additional federal oversight and control of Gallaudet's internal affairs.

Chapter 1: Prevention and Early Identification

Gallaudet supports in principle recommendation 1 to establish a National Institute on Deafness and Other Communication Disorders within the NIH but is concerned about how this institute would be funded. In general, Gallaudet supports the notion of increased funding in research areas related to deafness. Gallaudet itself currently is the leading center for research on the education of deaf children, demographics of the deaf population, sign language and deaf culture, genetics of deafness and developmental aspects of deafness. Gallaudet has not been a leader in research on the medical aspects of deafness, and it is quite appropriate that such a center should be established in the

NIH. Gallaudet's principal concern is whether Congress will be willing to appropriate the additional funding that will be needed to make this institute viable. We assume that some of this can be accomplished by pulling together existing programs located in other parts of the NIH into one institute. However, we remain concerned that the Institute be established in the most cost effective manner possible and that its establishment not drain resources from existing research programs. The legislation to establish this Institute has been introduced and Gallaudet will be interacting with its supporters and providing assistance in whatever ways are possible.

Gallaudet is highly supportive of recommendation 2 concerning the establishment of guidelines for early detection screening.

Chapter 2: Elementary and Secondary Education

Gallaudet supports all of the recommendations in this section with the exception of number 16 concerning the Model Secondary and Kendall Demonstration schools. In general, the recommendations in this section have to do with the Department of Education establishing guidelines and requirements for the states. Although we support the spirit of these recommendations, we are concerned that they not lead to excessive bureaucracy in the Department. Given their general soundness, Gallaudet would like to offer its support in the data gathering and monitoring functions that have been proposed, especially through the Annual Survey of Hearing Impaired Children and Youth conducted by Gallaudet's Research Institute.

The survey represents the current best source of existing information on Elementary and Secondary education for the deaf and the best potential data gathering network. We believe that these recommendations should be implemented in the most cost-effective way possible, and this should include the use of currently available data sources such as the Annual Survey. In addition, our Center for Studies in Education and Human Development is currently conducting large scale studies of the factors that influence successful placement of deaf students. Gallaudet particularly wishes to lend its support to recommendations 5 and 6 that would refocus the concept of least restrictive environment toward appropriateness and would require the consideration of the nature and severity of handicapping conditions in the placement of students.

Gallaudet supports recommendation 15, concerning action to apply the Bilingual Education Act to deaf students. Research conducted by the Gallaudet Center for Assessment and Demographic Studies indicates that only a tiny percentage of teachers of the deaf currently use ASL, so funds for training programs would be needed. Gallaudet endorses this recommendation to the extent that it would lead to expansion of the number of deaf teachers of the deaf and to an increase in appropriations for competitive grant programs under the Bilingual Education Act to serve this deaf constituency.

With respect to recommendation 16, concerning submission of annual and evaluation reports and setting priorities at KDES and MSSD, Gallaudet expresses partial support with some reservations. Gallaudet currently receives considerable oversight from federal agencies and the Congress. We view the development and dissemination of these reports as reasonable methods for evaluating and reporting the accomplishments of KDES and MSSD in relation to the stated priorities of the schools. This would include the additional priorities recommended by the Commission. However, Gallaudet would also like to comment about certain impressions developed and reported by the Commission with which we disagree.

We disagree that there is a need to redefine the mission and focus of MSSD so that the student population served by the school more closely mirrors the national demographics of secondary school-aged deaf children. The current student body is already heterogeneous and is relective of the diversity of the national population based on our comparisons with the national sample of more than 48,000 students in the Gallaudet Center for Assessment and Demographic Studies database. In fact, we already enroll greater percentages of students in several of the categories of concern to the Commission than are reflected in the national data. Already approximately 20% of the MSSD student body read at or below the 3rd grade level. The percentage of reported emotional or behavioral problems among MSSD students is three times that found in the national sample (15.3% versus 4.5%). The percentage of MSSD students with learning disabilities is twice that found in the national sample (15.3% versus 8.2%). With these numbers of students in the low functioning category, MSSD will be able to continue to develop materials for use in other schools without the need for significant modification in the basic mission of the MSSD. We feel that it is very important that MSSD maintain its status as a comprehensive high school, with programs for all types of students. It is possible to place greater emphasis on development activities based on identified priorities and this would be our recommendation.

It has also been recommended that KDES and MSSD should develop exemplary programs to meet critical needs as identified by the Commission. It is recommended that KDES and MSSD address these priorities through research, development, training and technical assistance. The response to these four critical areas of need will require careful reallocation of resources to address increased research and development efforts in each of these areas. However, Commission Recommendation 27 proposes a reduction in overall funding for research purposes at KDES and MSSD. A reduction such as this will greatly decrease the ability of KDES and MSSD to respond to the new priorities as proposed in Recommendation 16. The reduction would also decrease the resources available to conduct product and program evaluation activities prior to dissemination of products and services. KDES and MSSD can, with sufficient advance notice, modify their development priorities. But if there is a significant reduction in the funding allocated to research and development, the overall level of activity in relation to new priorities will necessarily be reduced.

Chapter 3: Federal Postsecondary Educational Systems

Gallaudet supports recommendations 17, 18 and 19 concerning the strengthening of the Regional Postsecondary Education Programs for the Deaf (RPEPDs), but questions whether Congress will appropriate additional monies to support their expansion and the training needs implied in the recommendations. In particular, lengthening the funding cycle to 5 years should have a beneficial effect on program effectiveness and continuity. The Commission might also have considered the advisability of increasing the length of the notification of award period to as much as two years before the award is to begin. This would greatly facilitate planning in these programs. A further criterion for program selection of a RPEPD should be its potential to attract a critical mass of deaf students. Gallaudet also supports recommendation 20 which calls for the establishment of ten comprehensive service centers, and we would like to point out that Gallaudet, NTID and the RPEPDs are currently cooperating to coordinate activities related to those outlined in the recommendation. Gallaudet, in particular, is the world leader in the higher education of deaf people and will continue to assist other programs through consortium arrangements and our network of regional centers.

With respect to recommendation 21, concerning the role of the Department of Education's liaison, Gallaudet points out that the Department's oversight role is clearly outlined in the current law. In fact, current oversight from the Office of Special Education and Rehabilitative Services (OSERS) includes elements of program review and budget development such as those outlined in the recommendation, and we feel that those are entirely appropriate.

There is not an instance, to our knowledge, in which a federal liaison or project officer has had oversight jurisdiction for academic programs of a college or university. An important characteristic of collegiate level academic programs is the manner in which certain aspects of governance are shared between faculty and administration. This shared governance concept has served higher education well from its antecedents in Europe down to current day university systems.

As with most colleges and universities, Gallaudet depends rather heavily for programmatic oversight on accrediting bodies. Not only is the entire University accredited by the Middle States Association, but a number of our programs are accredited by state, regional, or national bodies. Internal program oversight of collegiate academic programs historically is heavily weighted by peer and student evaluation, in addition to review by administration and Board. A collegiate faculty, in a similar manner as an accrediting body, would not be able to accede to the intervention of a liaison officer. Gallaudet already has national advisory groups for its elementary and secondary school programs.

The Gallaudet Board of Trustees, through its legislative charter, establishes policy for the general direction and control of the institution. There is probability of conflict between the role of the Board and the role of a Liaison Officer. The Commission has recommended and the Board is acting to increase its deaf membership. Any recommendation for federal oversight that would reduce the role of the Board would fly in the face of the recommendation to increase the oversight responsibility of deaf people.

In summary, Gallaudet already receives extensive oversight. The following groups are among those which regularly have review responsibilities for various aspects of Gallaudet's programs:

- Federal Administration:
  General Accounting Office, Office of Management and Budget, Department of Education
- United States Congress:
  Appropriation and Authorization Committees both of the Senate and House

- Governing Board and Invited Annual Review:
  Gallaudet University Board of Trustees (Includes one U.S. Senator & two members of the House of Representatives), Independent Auditing Firm
- Accrediting Bodies:
  Middle States Association (overall review of collegiate programs, KDES and MSSD), Conference of Educational Administrators Serving the Deaf (overall review of elementary and secondary programs)
  Accrediting bodies which sanction individual programs, e.g., teacher education, social work, speech-language pathology, audiology, rehabilitation counseling, instructional supervision.

In view of the foregoing it seems appropriate to suggest that the role of a Liaison Office focus on information and liaison functions. A centralized source of information about education of the deaf, under the Secretary's administration, could provide useful support to the Administration as well as to Congress.

Recommendation 22 proposes regular program evaluations of Gallaudet University and other postsecondary programs to be conducted by the Department of Education and using outside consultants. Gallaudet University is pleased to cooperate with all federal review bodies as well as submitting regular reports to such agencies and to other constituent groups. Likewise, the five-year reauthorization cycle is perceived as being appropriate. Gallaudet does, however, wish to point out that numerous reviews occur on a regular or cyclical basis. A number of such review processes have been outlined previously in this paper. In particular, the reports prepared for and by accrediting agencies should be utilized and became an important part of this proposed five-year review cycle.

Gallaudet has previously gone on record as opposing recommendation 23 which calls for a radical increase in tuition for foreign students and a cap on their enrollment at 10% of the total. We have presented to the Department of Education a formal report on the cost implications of foreign students at Gallaudet and have appended it to this response. We will not reiterate the arguments developed in that report but will outline our general objections to the recommendation. Gallaudet has, on several previous occasions, indicated that it is an international institution but that it has never turned away qualified U. S. students while admitting international students. In addition, the exchange of ideas that results from having a comprehensive student body forms an important part of the education for our U.S. students. In general, we admit all qualified U.S. students and then admit additional international students up to the capacity of our facilities and resources. This number has tended to be approximately ten percent of total enrollment or slightly more. On the basis of arguments developed in detail in the attached paper, we suggest that the incremental (or marginal) cost of enrolling these students is currently less than the tuition and required fees that they pay. According to this argument there is, therefore, no federal subsidy for these students. We believe that raising tuition to the levels suggested in the Commission's recommendations would have the effect of severely restricting the ability of deaf students from developing nations to attend Gallaudet. In addition, we are concerned that rigid adherence to a 10% cap would be very difficult to accomplish--for example, an enrollment shortfall in U. S. students might accidentally place us in violation of such a requirement. We propose instead a target range of 10 to 15% of total enrollment, but not a fixed cap.

Commission recommendation 24 proposes that Congress deny Gallaudet University the latitude to accept hearing students to its baccalaureate programs. Gallaudet fully recognizes and reaffirms its primary mission of serving hearing impaired students at the undergraduate level. Accordingly, no strong issue is taken with this recommendation. We would point out, nonetheless, that there are some advantages to enrolling a very limited number of hearing undergraduates in majors which would lead to their becoming professionals in human service occupations associated with service to deaf people. We believe that the early immersion of these students in a deaf cultural environment represents an important part of their career preparation. There is no intent, nor would we permit, the utilization of resources which are otherwise needed or intended to support deaf students. Nor would we enroll a hearing person in preference to a deaf applicant. Currently, Gallaudet has five hearing students enrolled in bachelor's degree programs.

Gallaudet wholeheartedly accepts recommendation number 25, concerning its affirmative action programs for deaf employees. This recommendation should apply to all federally supported programs serving the deaf, not only those at the postsecondary level. Gallaudet also indicates that its Board of Trustees is currently studying ways to come into compliance with recommendation 26. We request that the Board be given a reasonable amount of time to achieve this goal before legislative action is contemplated.

Chapter 4: Research, Evaluation and Outreach

Gallaudet is pleased that the COED report acknowledged the high quality of its research. Explicitly, the Summary of Chapter 4 states that GU has ". . . done good research . . . [and should receive continued funding to] . . . ensure a robust research program." On an implicit level, the worth of GU's research to the Commission was apparent in that over half of the report's citations of published research was to work conducted by Gallaudet researchers. That Gallaudet's research served as the major reference source for the report speaks to the value and uniqueness of the GU research effort.

We note first that if the intent of the report is to increase the quantity and quality of the research being done on deafness as well as the diversity of settings in which this research occurs, then we agree with this spirit. From our point of view, the Department of Education's extramural funding for deafness research represents a very small percentage of its resources; likewise, NIH expenditures for research on this topic are low in proportion to the size of the affected population. The only consistent long-term commitment to deafness research of any breadth has been through the collective efforts of the programs of Gallaudet. Even the level of funding for this effort is modest by major research institute standards. In order to understand phenomena associated with deafness, significantly more resources are needed.

If the spirit of the report is to increase the quality and quantity of research about deafness, we note that the specific recommendations (nos. 27 and 28) do not accomplish the underlying purposes. If adopted, they would have a devastating effect on Gallaudet's ongoing directed research efforts as well as disrupting the Pre-College's instructional, development, and evaluation work. For these and other reasons discussed below, Gallaudet expresses disagreement with these two recommendations.

Recommendation #27 calls for the establishment at GU of a National Center on Deafness Research not only to conduct in-house research but also to fund research at other institutions. We note first that the $7.8 million figure cited in the COED report (p. 92) as being available at GU to fund a Center is highly misleading. From the GU general fund, the Gallaudet Research Institute (GRI)--the locus of GU directed research--receives only $2.6 million. This amount includes money from other revenue sources in addition to the federal appropriation. The remaining $5 million supports instructional research, development, and evaluation at Pre-College Programs. This latter figure includes estimated amounts to support approximately 20% of MSSD and KDES classroom teachers' time that is devoted to research, development and evaluation. Reallocation of these funds to support the proposed Center would be impractical and would decimate those educational programs.

The $7.8 million appears to represent an overestimate of $700,000 in funding for overall University research. The COED appears to have derived this figure from estimated University research ($2.6 million) and funding for Pre-college research and development ($5.3 million). However, both figures include $700,000 transferred from the Pre-College to the University to support Pre-college oriented research in Fiscal Year 1987.

Recommendation #27 also indicates that the proposed Center should award some of its funds competitively to other research organizations. Gallaudet researchers would be disallowed from competing for the grant monies of the Center. Such a proscription belies the Commission's commitment to competitive research. As indicated in Chapter 4 (summary), ". . . competition enhances both the quality and relevance of research inasmuch as it stimulates innovation and excellence . . ." and also (pg. 91) ". . . scarce funds should be made available to support the best research regardless of where it is performed." Evidence that some of the "best research" has been conducted at Gallaudet University is supported by the Commission Report and by the success of Gallaudet researchers in acquiring extramural funding. It would be to the detriment of future research on deafness and against public interest to exclude Gallaudet University researchers from competition for these federal funds.

Finally, we note that the present appropriation for the National Eye Institute is almost $225 million, of which $198 million supports extramural projects. Our best estimate for ear research is approximately $35 million. We believe that a greater share of federal research funds should be made available to deafness research rather than the Commission's suggestion of reducing existing support to GU.

In summary, we disagree with recommendation #27 calling for the establishment of a deafness research center at GU with significant funding diverted to other institutions, because it would not only disrupt our current research efforts, but also other vital educational functions of the University. We do agree, however, with the statement elsewhere in the COED report (p. 92) that Gallaudet's ". . . overall level of research funding . . . should be maintained (or increased)" to ensure a robust program. Further, we believe that additional funds should be appropriated to various federal agencies (i.e. Department of Education, National Science Foundation, National Institutes of Health, Department of Labor) to enhance existing and future competitive grant and cooperative agreement programs.

Recommendation #28 calls for external review to select GU research projects. We object to the specific procedures in this recommendation, which emulate the Federal Register process, and which may infringe on the academic freedom of a normal University function. We strongly believe that applied to our directed research programs, the specific recommended procedures (public comment by consumers and researchers followed by project selection based on peer review) are unnecessary and cumbersome. The administrative expense associated with the procedures would be costly and inefficient. Further, cost-efficient external review would be difficult, given the diversity of Gallaudet research programs which include the following: Assessment and Demographic Studies, Auditory and Speech Sciences, Education and Human Development, Culture and Communication Studies, Genetic Services, Mental Health Research, Technology Assessment.

Nevertheless, we recognize the importance of external advisement and we are now reviewing our overall process of research project selection. Recently, the GRI appointed a subcommittee of its research directors to establish enhanced and cost-efficient procedures for external advisement.

We also point out that externally funded research projects of the GRI are screened and selected for funding according to stringent grant procedures of sponsoring federal and private agencies. These projects are only awarded grant funds after critical evaluation and ranking through the peer review systems of agencies such as National Institutes of Health and the Department of Education. The review boards and institute councils of these agencies may include consumer representatives from interested constituency groups as members.

Chapter 5: Professional Standards and Training

Recommendations 29-39 provide a very clear picture both of qualitative and quantitative issues in professional personnel areas. The recommendations are central to identifying and satisfying crucial needs in maintaining an appropriate cadre of professionals to work with hearing impaired persons. Ensuring that appropriate standards and policies are in place for improving and monitoring the availability and competence of professional personnel is crucial.

Gallaudet University provides the most extensive array of professional training programs in the various fields related to deafness. We have traditionally taken a strong leadership role in promoting improvements both in the development of professional standards and in the provision of adequate training programs and will continue to do so.

Chapter 6: Technology--Progress and Potential

Our response to the recommendations of Chapter 6 regarding Captioning, uses of technology in instruction and the development of improved devices for deaf people is most supportive.

It is clear that the amount of captioning needs to be increased and we agree with the Commission that greater consumer use of captioning coupled with decreased production costs will help provide the incentive for private sponsors to support this effort. As the Commission correctly points out, the suggestion to issue regulations to require broadcasters and cable-TV programmers to caption their programming (Recommendation 40) is controversial among the networks. It is our hope that some reasonable solution could be worked out.

We are concerned, as is the Commission, that federal funds for captioning be used to best advantage. The Office of Media Services and Captioned Films currently has this responsibility, and it is questionable that a Corporation of Closed Captioning (Rec. 41) would be needed. What is needed is a program to ensure that pressure is put on the private sector to maximize the number of captioned programs.

Recommendations 42 and 45, suggesting that all new TV sets be capable of decoding, somewhat parallel to the requirement that new TV sets have UHF capability, would be a much needed development. Gallaudet is also highly supportive of recommendations 43 and 44 concerning communication accessibility of federal proceedings and open captioning on federally supported instructional materials.

We agree that Congress should provide increased funding for the development of technology for deaf people (both instructional and otherwise) (Recommendation 46) and such technology should be made available on a wide-spread basis (Recommendation 47).

As a pioneer in the development of assistive devices resource centers and in hosting research, projects, and symposia in technology for deaf people, Gallaudet University is indeed in a position to support Recommendations 48 (assistive devices resources centers) and 49 (national symposia on media and technology), and can provide leadership and advice. The Media Services and Captioned Films program has long been an important program in the education of the deaf and we support Recommendation 50 leading toward its more efficient utilization.

Chapter 7: Clearinghouses and Committee on Deaf/Blindness

The Commission recommendation suggesting improvement in its clearinghouse network is most appropriate. Testimony to the Commission revealed a disappointingly large number of problems within the information provision and exchange as well as referral services. Improved use of networking technology and basic guidelines for service and referral would be useful. Gallaudet provides extensive information and referral services within and through both our National Information Center on Deafness and other units of the University. In fact, Gallaudet's National Information Center has received a grant from OSERS to provide for study of the options available for establishing a national network and for identifying and implementing data bases needed to disseminate information on hearing loss and deafness.

Over the past two decades Gallaudet University has become increasingly involved in service to deaf/blind persons. These services include enrollment of deaf/blind students in all levels of its instructional programs, extensive service to deaf/blind adults locally and nationwide, technical assistance programs, and the hosting of national and international meetings of and for deaf/blind persons. During this time, Gallaudet has been a member of the National Advisory Committee for the Helen Keller Center for the Deaf/Blind. The Commission recommendation to engage in further extensive study of the needs of deaf/blind persons is very appropriate and Gallaudet University is pleased to lend support to such an effort. Within the past year, Gallaudet was awarded a Cooperative agreement under the OSERS Program for Services to Deaf-Blind Children and Youth to establish a National Information Center with a focus on the dissemination of information on effective approaches to educating deaf-blind children.

APPENDIX

International Student Cost Analysis

Gallaudet's International Role in the Education of the Deaf

As the first, and still the only free-standing bachelor's degree granting institution in the world for the deaf, Gallaudet has always felt a special responsibility to the world deaf community. According to Gallaudet Archives the first international student was admitted in 1881. At the banquet of the International Congress on Education of the Deaf, which met at Gallaudet June 22-28, 1963, Anthony J. Celebrezze, the Secretary of Health, Education and Welfare, said, **"This is more than an American institution - it is an international institution."** More recently, Congressional support for Gallaudet's international mission was reaffirmed by Senator Weicker at the 1985 oversight hearings conducted by the Senate Subcommittee on the Handicapped. Gallaudet serves an important international mission which encourages international relationships. A diversified student body comprised of American and international students is critical to the vitality of the programs at Gallaudet and serves to enhance the education of our U.S. students. In addition, many of these students, upon returning to their nations of origin, have provided stimulus for development of programs and services for deaf people in their countries.

Gallaudet's Tuition Policy

Concern over possible federal budget reductions led to the implementation of a 50% surcharge for international students in the fall of 1983. In the fall of 1986 that percentage was lowered to 20%. Tuition for all students was increasing at a rate of $350 per year. This along with the 50% surcharge placed what seemed like an unreasonable burden upon the international students who wish to attend Gallaudet. Because of the rapid increase in the general tuition rate, international students paid more in FY 88 with only a 20% surcharge than they did in FY 86 with a 50% surcharge, $3,501 in FY 88 vs $3,171 in FY 86 (See Table 1).

Cost of Educating International Students

There is not, per se, any federal subsidy for foreign students at Gallaudet. Gallaudet enrolls all qualified U.S. deaf citizens who meet the requirements for admission. That is Gallaudet's fundamental commitment and we have never deviated from it; our programs are planned and designed with that basic consideration in mind. In addition, we enroll a number of international students up to the capacity of our facilities and other resources. In the fall of 1987, that number was 218 (187 undergraduates and 31 graduate students). We do not actively recruit these students. Currently, our federal appropriation makes up about 75% of the support for University Programs. The question about costs of educating international students implies that there is a fixed unit cost for educating students at Gallaudet, and that somehow if we did not enroll international students our programs and expenditures would be smaller. We suggest that, in fact, this is not at all clear--the sizes of most of our academic departments are predicated on a general range of student enrollment and could not be significantly reduced if our enrollment were reduced by 218 students. In addition, there are fixed plant and institutional support costs that would be present with or without international students. What is needed here is an analysis of incremental (marginal) costs and this has proved to be a very thorny question in higher education. However, below we will address the question of institutional costs related to adding additional students to our enrollment.

In determining its cost per student, Gallaudet has for some time employed a method of calculating full cost that was introduced by the GAO in its first audit of Gallaudet programs. According to this method of calculating cost, total educational and general expenditures as reported in the annual Higher Education General Information Survey (HEGIS) are divided by total Full-time equivalent enrollment (FTE). Calculated in this way, total cost per student at Gallaudet in FY 87 was about $25,700. Total educational and general expenditures includes such expenditure categories as research and public service that are not directly related to the provision of educational programs to currently enrolled students. In addition, functions such as research and public service consume administrative resources of the university. For these reasons, in order to calculate a realistic educational cost per student it is necessary to remove expenditures for research and public service and indirect costs associated with these activities. There are several ways of factoring out these non-educational costs. In the second GAO report issued in 1986, such a calculation was made and costs for educating students were found by the GAO to be approximately $15,900 in FY 85. An additional $9,300 per student was found to have been spent on research, public service and other activities. If we apply the same logic to our current costs we get a cost for educating each student of approximately $16,000 for FY 87 or nearly the same as in FY 85. This steady cost is a result of rising enrollment and moderating expenditures. We would anticipate that these costs will be at approximately the same level for the next several years.

The nature of incremental cost and the extent of the economies that Gallaudet has been able to introduce are illustrated by the fact that Gallaudet's average costs per student have not increased in real dollars during the past three years, while enrollment was increasing rapidly. In fact since 1984, the total cost (GAO I method) has actually declined (see Table 3). This suggests that the incremental cost per student is less than the average cost. In fact, the decrease in cost per student is even more dramatic when we consider that there was general inflation in higher education of 16% during this period (Higher Education Price Index - HEPI). Table 3 shows what the cost per student would have been in 1984 dollars in each of the years following 1984. In order to calculate an incremental cost per student for 1987 over 1984, it is first necessary to calculate, in 1987 dollars, the cost of educating the 1,472 students enrolled in 1984. This is done by first inflating the total expenditures in 1984, by the HEPI, to 1987 levels ($40.4 million in '84 to $46.9 million in '87). The latter number is the cost, in 1987 dollars, of educating the 1,472 students enrolled in 1984 (Table 3). The difference between this number and the actual expenditures of $49.2 million is the incremental cost in 1987 dollars of educating the additional 440 students who have enrolled since 1984. This number is $2,324,000. Dividing this number by 440 gives a total incremental cost per student of $5,282. Applying the GAO II calculation to this number gives us an incremental educational cost of $3,284, the federal portion of which is $2,463.

In academic year 1987-88, our 218 international students each paid tuition and required fees (excluding room and board) of $3,500. If we assume an average educational cost per student of about $16,000, international students at Gallaudet paid 22% of the average educational cost associated with them. Federal support for Gallaudet University programs is approximately 75%, so the federal component of the educational cost would be about $12,000. Of this amount, international students paid 30%, leaving about $8,500 per student supported by the federal government. At current enrollment levels and tuition rates, federal support for the average cost amounts to a total of about $1.8 million. Given the arguments presented above we maintain that much of this amount is in fixed instructional and plant support that would not be significantly reduced were we to enroll no international students. In terms of incremental educational cost, international students are currently paying more in tuition than the cost associated with them. In Academic Year, 1988-89, all students will pay an additional $100 in tuition, with a 20% surcharge for international students, so that the latter will be paying an increasing share of the average and incremental federal costs associated with them. Room and board fees are calculated to provide substantially full support for dining and residence halls. Thus international students are currently paying substantially full cost for these services.

Future Actions

Because of the concern Congress has expressed in this matter, we will be considering the advisability of reinstating a 50% surcharge for international students in the future. There will be two overriding concerns: Gallaudet's ability to generate financial support for scholarships from the foreign governments of the countries from which students come to Gallaudet; and, most importantly, the ability of these students to pay an increased rate. Given the importance of these international students to our own program and the role of the former in the development of deaf people throughout the world we do not plan at this time to curtail our enrollment of international students. Of course we will not deny admission to qualified deaf Americans. We believe that their relatively small numbers and considerations of incremental or marginal cost indicate that these international students represent a very small investment of federal resources and that the returns are large.

Reinstatement of a 50% surcharge at current tuition and enrollment levels would reduce federal support for the average education cost of these students by about $200,000. Such a surcharge would increase the amount by which their current tuition rate exceeds the incremental cost.

Table 1

Gallaudet Tuition and Required Fees

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
U.S. Students							
Tuition	984	1,334	1,684	2,034	2,384	2,734	2,834
Required Fees	291	320	120	120	120	220	220
Total	1,275	1,654	1,804	2,154	2,504	2,954	3,054
Inter. Students							
Tuition	984	2,001 *	2,526 *	3,051 *	2,861 **	3,281 **	3,401 **
Required Fees	291	320	120	120	120	220	220
Total	1,275	2,321	2,646	3,171	2,981	3,501	3,621

* 50% Surcharge
** 20% Surcharge

Table 2

Recent History of International Student Enrollments

Fiscal Year	FY 87	FY 88	FY 89 *
Undergraduate	186	187	185
Graduate	28	31	30
Total	214	218	215

* Anticipated

Table 3

Incremental Cost of Student Education at Gallaudet

Fiscal Year	Higher Education Price Index	Total E and G Expenditures ($ in 1,000s)	FTE Enrollment	Cost per Student Current $s (GAO I)	Cost per Student 84 Dollars (GAO I)
1984	1.00	$40,406	1,472	$27,450	$27,450
1985	1.07	$43,608	1,701	$25,637	$23,960
1986	1.11	$45,188	1,752	$25,792	$23,236
1987	1.16	$49,195 *	1,912	$25,730	$22,181

* Estimated--Audited financial statement not yet available

o Cost of educating 1,472 students in '87 dollars=$46,871,000

o Increase in student enrollment, '84 to '87 = 1,912 - 1,472 = 440

o Incremental cost of educating additional 440 students in '87 dollars:

$49,195,000 - $46,871,000 = $2,324,000

o Incremental total cost per student = $2,324,000/440 = $5,282

o Incremental educational cost per student, GAO II method :

($16,000/$25,730) * $5,282 = $3,284

o Federal portion of GAO II incremental cost = .75 * $3,284 = $2,463

Senator HARKIN. Thank you.

[Applause.]

Dr. Jordan, thank you very much for that excellent statement. I would now recognize Dr. William Castle, Director of NTID.

Mr. CASTLE. Thank you, Mr. Chairman. I would first of all like to commend the Subcommittee on the Handicapped for taking the initiative to introduce and pass the Education of the Deaf Act of 1986 and to create the Commission, and also to commend the Commission for what I consider to be a landmark document, with its 52 recommendations.

We are positively supportive of the Commission's recommendations with respect to early identification, early intervention, the options that should be in place regarding 94-142, and the National Institute on Deafness and Other Communicative Disorders. We also look with favor upon the strong recommendation that there be 10 regional comprehensive centers regarding the deaf, and would recommend that perhaps Congress would consider starting this particular recommendation with one such center that would serve as a prototype which would be a research and demonstration center and a strong training center as well.

We believe that the recommendation for strengthening the regional postsecondary program is a very good recommendation and, as a matter of fact, I wish to point out that NTID, Gallaudet University, and the directors of the four regional programs have already taken an initiative to establish what we call a postsecondary consortium, with the strong interest of impacting on the needs of all postsecondary deaf individuals, whether they are able to come into our institutions or not, and with a special emphasis and interest on the low-achieving deaf adult. We hope that Congress will support this initiative; as we move along with it, it will require a certain amount of federal funding.

Regarding NTID itself, we approve of the idea of a liaison office in the Department of Education. As a matter of fact, in our 20 years of existence we have always had a liaison officer. We also approve of the five-year evaluation plan that is proposed by the Commission. We hope, however, that it can be scheduled in such a way that it will happen at the same time that regular accrediting bodies come to RIT to re-accredit the entire institution, including NTID.

With respect to the interest in affirmative action, we have a very active affirmative action program occurring at NTID now, which in just the past two years has resulted in the doubling of the number of minorities on our staff and increasing by 24 percent the number of hearing impaired individuals who serve on our staff.

We also accept in principle the recommendation that the majority of the members of the National Advisory Group for NTID be hearing-impaired, but we would like to suggest that perhaps a part of that principle should be to include parents of the deaf and individuals who are children of deaf parents.

The one thing that we do not agree with regarding wholeheartedness is the matter of the foreign student issue. We do accept the idea that NTID should be given permission to admit foreign students at long last; however, we believe the 10 percent limit imposed by the Commission's recommendations is probably not a practical one. If we have the capacity for serving 1,250 deaf individuals, and if in a given year the number of U.S. citizens is only 1,100, we see no reason for our being restricted to a number of 1,210 when we have the capacity for 1,250.

We also do not believe that the 75 percent figure in terms of full costing is an appropriate one. First of all, it establishes a disparity between the two institutions and we advocate that there should be parity between Gallaudet University and NTID, regardless of the costing factor for foreign students.

Regarding the research matter, we wholeheartedly approve of the latest recommendation of the Commission with respect to research at NTID and hope that you will support and endorse that as well.

I believe that the report of the Commission could be strengthened in two ways. I believe that their recommendation of dealing with the Council on Education of the Deaf standards for teaching does not go far enough. I believe a more stringent kind of requirement is necessary for teacher preparation, and I believe that in fact teachers should be dually certified and be capable of teaching in a qualified manner both hearing and deaf individuals, and at the secondary level the individual who teaches must be qualified in a given content area.

A second strengthening point I believe would be to emphasize more strongly the importance of audiologists and speech pathologists, school psychologists, language specialists and guidance counselors.

If Congress finds it necessary to prioritize the recommendations of the Commission, I would suggest that Congress give first attention to early identification and early intervention, giving that priority over such things as free decoders that you take actions to improve the preschool, elementary and secondary levels of education over the bureaucracy needed for evaluation, and that we move to reduce the number of low-achieving deaf in the future before we attend to the needs of the low-achieving deaf that currently exist. Thank you very much.

[The prepared statement of Mr. Castle follows:]

William E. Castle
Vice President for Government Relations, RIT
Director, National Technical Institute for the Deaf

Mr. Chairman, Members of the Committee.

I am pleased to have this opportunity to testify before this subcommittee on the subject of the Commission on Education of the Deaf report, Toward Equality: Education of the Deaf, and its recommendations.

We at the National Technical Institute for the Deaf (NTID) have experienced a sense of common purpose and a cordial working relationship with the Commission over the past 15 months. While we are not in full agreement with every recommendation of the Commission, we strongly support most. Furthermore, we are satisfied with the opportunities given us to present our positions and background information on issues where there has been disagreement. I would like to add that the Commission and its chairman are to be commended for bringing together such an outstanding support staff.

This report has the potential to become a landmark document for the education of the nation's deaf children and adults in both the near and the distant futures. I am reminded that a Congressionally established Advisory Committee on Education of the Deaf, similar in many ways to the present Commission, was put in place nearly 25 years ago. Many subsequent developments in the education of deaf children and adults can be traced to that Advisory Committee's report (often cited as the Babbidge Committee Report), one of which was the establishment of the National Technical Institute for the Deaf. Therefore, as the Director of NTID, I have a full appreciation for the potential impact of the report you have before you.

The Commission on Education of the Deaf has presented Congress with 52 recommendations. I support most of these recommendations unequivocably, I support some with qualifications, and I disagree with a few of them. In a moment I would like to comment on some of the Commission's recommendations, focusing but not restricting my attention to those pertaining to postsecondary education.

In preparing this testimony, I reviewed the statement I made in May, 1986, as a witness before the House Subcommittee on Select Education with regard to provisions in "The Education of the Deaf Act" which called for the creation of a Commission on Education of the Deaf. With the Committee's indulgence I would like to pick up on some elements of that statement in relation to the findings and recommendations of the Commission report.

I spoke at that time of the need within this country to put in place a universal system for the early detection of deafness in infants. I am pleased that the Commission is recommending that the Department of Education, in collaboration with the Department of Health and Human Services, issue federal guidelines to assist states in implementing procedures for screening all live births, and in following up with those infants and young children considered to be at risk for hearing impairments (Recommendation 2).

I spoke also of the need to establish parent/inf[illegible] and early education programs universally throughout the nation for hearing-impaired infants and young children, and for their parents. The Commission has recognized the importance of early intervention services for young deaf children and their families and is recommending that in their statewide planning and implementation activities, state educational agencies be required to include the development of program and personnel standards that address the educational and psychological needs of families with young deaf children (Recommendation 29). Another recommendation urges that grants be targeted for training personnel to provide early intervention and preschool services to deaf children from birth through five years and to their families (Recommendation 31). Both of these recommendations should be implemented.

Within the context of P.L. 94-142, I expressed concern about the frequent misapplication of the concept of "least restrictive environment" in equating it with "mainstreaming," and stated the belief that "this interpretation leads to an overly frequent phenomenon of restricting freedom of choice among programs that are available to deaf children and youth and their parents." The Commission has submitted six forceful recommendations (Recommendations 5-10) to redress abuses stemming from such an interpretation, and has added recommendations pertaining to the determination of the appropriate educational program for each deaf child as an individual (4), parent's rights (11), evaluation and assessment (12), program standards (13), and quality education (14). I urge congressional support for the implementation of these 11 recommendations in order to strengthen the progressive intent of P.L. 94-142 for deaf students.

The Commission endorses your Subcommittee's recommendations for the establishment of a National Institute on Deafness and Other Communication Disorders within the National Institute of Health. I concur with this endorsement (Recommendation 1).

The Commission is recommending the establishment of comprehensive service centers for deaf rehabilitation clients (Recommendation 20). Such centers have been discussed and debated, sometimes under federal auspices, for 30 years or more, and several centers have received temporary and sometimes token federal funding to initiate limited types of services. Major federal support for the establishment of such centers on a regional basis is long overdue. I am inclined to suggest a more modest initial number than the ten recommended, and the establishment of at least one as a model with a mandate for applied research, demonstration, and professional training. Regardless of the level of federal support that is feasible at the outset, the federal commitment should be strong and enduring.

I strongly support the recommendation that each of the four regional postsecondary programs currently serving deaf students be strengthened and expanded in their range of offerings. I also concur with the ancillary part of the same recommendation which urges the establishment of a fifth such program in the southwest region of the U.S. (Recommendation 17). I support the recommendation that these programs be encouraged and appropriately funded to provide exemplary adult and continuing education programs for deaf persons within their respective regions, and to assist other local educational institutions in providing such services to deaf adults also (Recommendation 19).

We at NTID believe that we have designed a first and modest response to the Commission's recommendations 17, 19, and 20 by taking the initiative to organize what we are calling the "Postsecondary Consortium." This

Consortium has a nine-person steering committee with six "bona fide" members and three "ex officio" members. The six "bona fide" members are the directors of the six federally stipulated postsecondary programs for the deaf (Gallaudet University, NTID, St. Paul Technical Institute, Seattle Central Community College, California State University-Northridge, and University of Tennessee); the three "ex officio" members represent the American Deafness and Rehabilitation Association (ADARA), the Council of State Administrators of Vocational Rehabilitation (CSAVR), and the National Association of State Directors of Special Education (NASDSE). The chief goal of the Consortium, once in operation, is to deal with the special needs of postsecondary deaf adults, especially low achieving deaf persons, who are not currently receiving attention from existing postsecondary programs for the deaf. A very important interest with respect to low achieving deaf persons will be the raising of literacy levels.

My remaining comments on the recommendations concerning postsecondary education pertain to NTID itself.

NTID is comfortable with the recommendation that a liaison office within the Department of Education (i) have a role in the coordination of activities across the national and regional programs, including NTID, to ensure quality and avoid unnecessary duplication, (ii) review and comment on workplans relating to certain activities, and (iii) assist in the development of budget requests (Recommendation 21). NTID has always had a project officer within the Department of Education and this recommendation does not represent a major departure for us.

NTID is also satisfied with the recommendation calling for program evaluations of the national and regional postsecondary programs, including NTID, on a five-year cycle (Recommendation 22). We do suggest that such evaluations be timed to coincide and be conducted in conjunction with the cyclical accreditation process at Rochester Institute of Technology, NTID's host institution. It may be possible to adjust the reauthorization schedule or to prevail on the accrediting bodies to adjust theirs. The result could be a comprehensive, credible, and timely evaluation which is appropriate for both Congress and the accrediting bodies.

NTID remains strongly committed to its affirmative action program, and we will continue to be assertive in recruiting, hiring, and promoting applicants and employees who are deaf. We fully subscribe to the recommendation pertaining to this topic (Recommendation 25). Our record over the past two years in doubling the number of staff who are members of minorities and increasing the number of hearing-impaired staff by 20 percent speaks well to our sincerity and commitment to the principle of affirmative action.

The Commission is recommending that a majority of members of the governing and advisory bodies of the national and regional postsecondary programs be persons who are deaf (Recommendation 26). I am sympathetic to the intent of the recommendation but believe that parents of deaf children and children of deaf parents should also be part of that majority. NTID has pointed out to the Commission that in 1987, almost one-half of NTID's active National Advisory Group, including the federal liaison officer, consisted of hearing-impaired persons (6), parents of deaf children (2), or children of deaf parents (1). The remaining members include educators of the deaf, members of Congress, and leaders in business and industry as prescribed by current law. As the director of NTID, I look to all these sources for advice and counsel, but parents of deaf children and children of deaf parents add a special kind of sensitivity and insight which is difficult to capture from other sources. I would be more supportive of the Commission's Recommendation 26 if a provision is added for parents of deaf children and children of deaf parents, namely that the collective majority of NTID's National Advisory Group consist of persons who are hearing impaired, to number no fewer than one-third, parents of deaf children, and children of deaf parents.

As part of one of its recommendations, the Commission urges that foreign deaf students become admissible to NTID (Recommendation 23). Implicit in this recommendation is the principle that no qualified student in this country would be replaced by a foreign student. NTID strongly concurs. We believe the enrollment of foreign deaf students can be both educationally beneficial and economically justifiable for all, and have shared considerable corroborative documentation to this effect with the Commission. A second part of the same recommendation limits the number of foreign deaf students to 10 percent of the student body. We at NTID consider this to be an unnecessary restriction since our enrollment capacity for deaf students stands at 1,250. For example, to suggest that we should hold at 1,210 total if the number of U.S. students is only 1,100 seems overly restrictive. A third part of the recommendation pertaining to the admission of foreign deaf students concerns tuition charges. The Commission is opposed to any federal subsidization of foreign students. We have had considerable dialogue with the Commission on charges to students, arguing that the marginal (incremental) costs for foreign students would be considerably lower than suggested by the formula recommended by the Commission. The Commission has not been dissuaded in its view. If we use the tuition rate suggested by the Commission, we will realize a profit of nearly $10,000 per foreign deaf student for each year he or she is enrolled. We understand the concern about foreign students being subsidized by federal dollars, but by the same token we do not believe there should be federal profit from educating foreign deaf students in this country. We have demonstrated that we can serve the additional students who are deaf because of the rubella epidemic of the early '60's at a cost of approximately $8,000 per year, and we see no reason why we cannot do the same with foreign students.

Whatever the tuition charge level chosen by Congress for foreign deaf students, we continue to endorse the policy of parity between NTID and Gallaudet University in our tuition charges. Our two federal programs have a legal agreement, based on sound educational policy, to charge equivalent tuitions to our respective students in order to discourage enrollment decisions based solely on relative tuition costs. In summary, I support the recommendation that foreign students be admissible to NTID, but argue vigorously for parity in the tuitions charged these students by the two federal postsecondary programs.

I am pleased to say that after testimony was presented and supplementary documentation was furnished to the Commission, it withdrew an earlier draft recommendation to reduce the base level of federal funding for research at NTID. I quote from the Commission report as follows:

> "We subsequently concluded that this (current) level of research at NTID was appropriate and that our recommendation should not result in a change in this level of research funding at NTID (Discussion preceding Recommendation 27)."

The Commission is also recommending that Gallaudet University and NTID be directed to make their research plans more open to public comment by consumers and researchers, and to incorporate outside authorities into the review process (Recommendation 28). We endorse this recommendation and, in fact, have just developed a policy and the procedures for implementation of a process for external review of research at NTID at various points in its development and reporting.

There are two matters that I wish to bring to your attention which would serve to strengthen the Commission's report and to strengthen the field of education of the deaf in the future. The first has to do with certification standards for teachers of the deaf. The Commission recommends guidelines for universal standards that are at least as stringent as those set by the Council on Education of the Deaf (Recommendation 32). We need to go farther than this recommendation suggests. Teachers of the deaf at the pre-school, elementary, and secondary levels should be qualified not only to teach deaf students but should have the same qualifications to teach at these respective levels and within specific areas as their colleagues who teach hearing children. In many instances this may call for dual certification. For example, it should not be enough for a teacher of the deaf to be certified at the secondary level. That teacher should also be certified in particular content areas.

The second matter pertains to all the special services that are required for deaf children within the educational process. The Commission makes no point of the need for a greater prevalence of audiologists, speech pathologists, language specialists, school psychologists, and personal and career guidance counselors in all educational programs for deaf persons; and it should, because all such professionals are important to the interest in making things different.

Lastly, I wish to comment on prioritization of the Commission's 52 recommendations. If Congress finds it necessary to pick and choose in terms of what it can and should support, I would hope that it would do so on the basis of which the recommendations are designed to enhance the chances of successful educational accomplishment for deaf children of the future. To illustrate, it is far more important to universalize early identification and early intervention programs than it is to provide all deaf persons with free decoders for captioned television; it is far more important to do everything possible to improve what is happening at the preschool, elementary, and secondary levels of education of deaf persons than it is to establish a federal bureaucracy to perpetually evaluate postsecondary programs; and it is far more important to reduce the number of low achievers in the future than it is to improve the lot of today's low achieving deaf persons.

In closing, I wish to express my appreciation for being invited to testify before this subcommittee on the Commission's very important report. I'm sure that members of the Committee will respond to this report in many ways that will improve the educational circumstances for this nation's deaf population.

Senator Harkin. Dr. Castle, thank you very much for your summary.

Senator Adams has asked that a brief introductory statement by him be inserted in the record at this point.

[The statement by Senator Adams follows:]

STATEMENT OF SENATOR ADAMS

Thank you, Mr. Chairman, for allowing me to submit a brief statement for the record on behalf of Regional Education Programs for Deaf Students.

First, I would like to thank Senator Harkin for holding this important hearing. I think it is essential that Members of Congress give careful consideration to the report of the Commission on Education of the Deaf. The conclusions contained in this report concerning inappropriate priorities and inadequate resources for educating deaf students give us all reason to pause and reevaluate our commitment to serving deaf individuals. Clearly, there are many steps we must take to enhance the opportunities for deaf individuals to become independent and productive members of society. Let us begin by addressing the shortcomings identified in the Commission's report and by giving careful consideration to their recommendations as we map a course to improve educational opportunities for the deaf.

At this point, I would like to welcome Robert R. Lauritsen who is Program Director for the St. Paul Technical Institute. Mr. Lauritsen will be delivering testimony regarding Regional Education Programs for Deaf Students. Currently, there are six post-secondary programs for deaf students receiving federal funds. Four of these programs are regional in nature. Since 1969, Seattle Community College has played host to one of the four regional programs. The Seattle program has served approximately 1,200 deaf adults since its inception. While half of these students have come from my own State of Washington, students from 34 other states around the nation have been served through this program. Recognizing that minority students, particularly minority persons who are deaf, have historically been underserved, Seattle Community College has made a special effort to identify and recruit minorities. This focus has yielded an exemplary rate of minority enrollment which has reached a level as high as 27 percent between 1982 and 1987.

The strength of the Seattle program can be measured in terms of the extraordinary success graduates have enjoyed in securing employment and pursuing further educational development. For the deaf individual, this means new opportunities for independence and accomplishment. For the federal government, the success of the Seattle Regional Education Program translates into financial savings as deaf individuals free themselves from the need for public assistance and become productive, tax-paying members of society.

In 1987, the Washington State Legislature demonstrated its support for the program by passing legislation to waive the out of state portion of tuition for non-resident students. This provision complies with the programs mandate to serve a multi-state constituency. I urge fellow members of the Handicapped Subcommittee to recognize the achievements of the Seattle Community College Regional Education Program and the support it has received at the state level when considering efforts to improve and expand educational services for the deaf.

Thank you once again, Senator Harkin, for giving me the opportunity to address this issue of critical importance to deaf students.

Senator HARKIN. Now I would like to ask Mr. Lauritsen to go ahead and summarize your statement.

Mr. LAURITSEN. Good morning, Mr. Chairman. Thank you.

I am very pleased that Senator Boschwitz took time from his schedule to come here. I am very appreciative of the kind words that he had to say, and I want to assure you that included in those kind remarks about myself were kind remarks also about Dr. Victor Galloway, Director of the California State University's Northridge Program, who is here today, Dr. Ron Lafayette, from the Seattle Community College, and Mr. William Woodrick, from the University of Tennessee. We four represent the regional education programs and when we are here in Washington we often move together as one team.

First, we wish to congratulate the Commission on the manner in which it has carried out its responsibilities in developing its comprehensive report. We are very pleased that we ourselves, our students and our staff have had adequate opportunity to input into the findings of the Commission.

As I looked through Chapter 3 this morning, pages 53 to 68, and as I listened to Bill Gainer, we are very pleased, very supportive of what has been accomplished.

We would also like to congratulate you, Mr. Chairman and members of your Committee and your staff, for conducting these hearings in a timely manner.

Our programs have been operational since the late 1960's. Since that time, we have served in excess of 6,000 deaf students. We have served students from every State, the District of Columbia, several of the territories, a few from Canada, and a very limited number from foreign countries.

We have consistently more than doubled the dollars that we have received from our major funding source, section 625 of the Education of the Handicapped Act, from other Federal grant programs, State funds and from the private sector.

We have consistently cooperated with Gallaudet University and the National Technical Institute for the Deaf. We have participated in GAO studies which were authorized by this Subcommittee.

We would like to comment on four recommendations and they happen to be primarily the same ones that Bill Gainer highlighted in his report. The first recommendation is that each regional program should be strengthened to provide a broader range of educational options, including vocational and technical training, two-year junior college and baccalaureate programs, with additional funding being allocated. We strongly support this recommendation.

The current regional education programs, together with Gallaudet University and the National Technical Institute for the Deaf, form a valuable national consortium of postsecondary education opportunity for deaf people by offering a comprehensive national education network. Implementing this recommendation would provide for a range of educational opportunities for deaf persons that hearing persons enjoy. It is cost-effective to have central regional programs to provide outreach services in geographical areas of the United States. We further recommend that all federally funded programs be linked together in a formal fashion such as a Council of Directors, made up of the chief executive officer of each federally funded institution.

The next recommendation deals with increasing the number of regional postsecondary programs from four to five. We support this recommendation, but we feel very strongly that the current program needs additional help before an additional program should be initiated.

The next recommendation deals with the five-year competitive funding cycles. At the current time, we are on three year cycle, we are on a grant basis, we are on a competitive basis. Three years is not a very long time. We are now approaching the end of our second grant year. We have no assurance that students who started our program last week, the new preparatory program for spring quarter 1988, that they are going to continue after July 1, 1989. We need longer assurances for students that come to our programs.

We also need to nurture our staff and indicate to our staff that they can do things of a creative and innovative nature and not have to be continually concerned about job termination.

The fourth recommendation we would like to comment on is the concept of adult and continuing education. This we feel very strongly about. Continuing education and adult education is an inherent part of post secondary education. We have tried in the field of deafness for a good many years to get a strong national program going. We have not really succeeded in that. We would strongly and enthusiastically support a life-long learning concept.

There are other recommendations that we would just briefly comment on. We certainly agree with the Commission's statement on American sign language, affirmative action, competency requirements, evaluation and oversight, governing bodies, and quality education.

We particularly want to draw attention to parents' rights and, after listening to you this morning, Senator, I would add brothers' rights and sisters' rights. We are very concerned about parents and how they feel about their kids and brothers and sisters and how they feel about their adult/ children when they are 25, 30, 35, 40 years old. When they come back to us looking for help at that point in time, we are there to help them, but it is much, much easier if we can do that at a much earlier age.

We would also like to emphasize the interpreter provisions of the Commission's recommendations. Each of our four programs have a rich history of providing interpreter training.

I am going to make one comment that is not in my written testimony. What we are seeing in Minnesota, and I suspect it is true in Iowa, Illinois, and other places, is the lack of interpreters out in the rural areas. They simply are not out there and we simply do not have a good mechanism for delivering training programs in the non-metropolitan areas in States that we are familiar with. We need to do something to improve that.

Our major recommendation, Mr. Chairman, is for help in funding and help as soon as possible. Several of our programs, our program at St. Paul, the program in California, are both suspending summer programs this year because of lack of funds. We have been consistently turning students away for the last several years and that must stop. We need sufficient dollars to serve students seeking admission to our institutions. We need sufficient funds to provide an adequate level of support services and, to reemphasize the adult and continuing education of the outreach, in-service programs, preservice programs, interpreter programs, we need assistance in that area.

We have been in business since the late 1960's and we have spent virtually part of every day since 1969 looking for a means to provide tomorrow. We think that is the wrong priority. We think the priority should be on providing quality education and not worrying about survival and whether we will be there tomorrow to serve students. We would like to reorder our priorities and we need your help to do that. We need funding, at an adequate level so that we can turn our attention to really giving quality education to deaf students on a regional basis in this country.

Thank you.

[The prepared statement of Mr. Lauritsen with an attachment follows:]

TESTIMONY
FOR
THE UNITED STATES SENATE
SUB-COMMITTEE ON THE HANDICAPPED
THE HONORABLE THOMAS HARKIN, CHAIR

MARCH 21, 1988

Robert R. Lauritsen, Program Director
Regional Education Program for Deaf Students
St. Paul Technical Institute

for

Dr. Vic Galloway, California State University at Northridge
Dr. Ron LaFayette, Seattle Community College
Mr. William Woodrick, The University of Tennessee

My name is Robert R. Lauritsen. I am Director of the Postsecondary Education Program at the St. Paul Technical Institute (St. Paul TI, formerly St. Paul Technical Vocational Institute). I am pleased to have this opportunity to present testimony on behalf of the four Postsecondary Education Programs for Deaf Students. These Programs have been supported since 1975 by Section 625 of the Education of the Handicapped Act. (Copy of Section 625 attached.)

The Postsecondary Education Programs congratulate the Commission on the manner in which it has carried out its responsibilities in developing a comprehensive report on Education of the Deaf for the Congress of the United States. We are pleased that Administrators, Support Staff and Students from our Programs have had adequate opportunity to provide both oral and written testimony to the Commission.

The Postsecondary Education Programs congratulate the Committee for conducting these Hearings in a timely manner.

The Postsecondary Education Programs have been operational since the late 1960's. The Postsecondary Education Programs have collectively:

- served in excess of 6000 deaf students
- served students from every state, the District of Columbia and several of the Territories
- have consistently more than doubled the dollars available

yearly from the Federal Government through other Federal grant programs, State funds and from the private sector

- o have consistently cooperated with Gallaudet University and the National Technical Institute for the Deaf
- o have participated in GAO studies authorized by this Sub-Committee

There are four specific recommendations of the Commission that deal with Postsecondary Educational Programs and Adult and Continuing Education that the four current programs wish to comment on.

RECOMMENDATION NUMBER ONE: STRENGTHEN POSTSECONDARY EDUCATIONAL PROGRAMS FOR THE DEAF

Each Regional Education Program should be strengthened to provide a broader range of educational options, including vocational and technical training, two year junior college and baccalaureate programs. Additional funding should be allocated.

RESPONSE

The Regional Educational Programs strongly support this recommendation. The current Regional Education Programs together with Gallaudet University and the National Technical Institute for the Deaf form a valuable National Consortium of Postsecondary Education Opportunities for Deaf People by offering a comprehensive National Education Network. Implementing this recommendation would provide for a range of educational opportunity for deaf persons that hearing persons enjoy. It is cost effective to have central Regional Centers to provide outreach services in geographical areas of the United States.

We further recommend that all federally funded programs be linked together in a formal fashion such as a Council of Directors made up of the Chief Executive Officer of each federally funded Institution.

RECOMMENDATION NUMBER TWO: INCREASE THE NUMBER OF POSTSECONDARY EDUCATION PROGRAMS FROM FOUR TO FIVE

The number of Regional Education Programs should be increased to five. The additional program should be established in the southwest region of the United States to provide greater geographical coverage of the nation.

RESPONSE

The Regional Educational Programs support this recommendation only if there are sufficient funds to provide for five meaningful programs. Given sufficient funding the fifth center should be selected on the same criteria as the existing four Programs. Senior staff from the existing Programs should be utilized in technical assistance roles to provide guidance for the new Program.

RECOMMENDATION NUMBER THREE: ESTABLISH FIVE YEAR FUNDING CYCLES

A five-year competitive funding cycle should be established for the Regional Educational Programs.

RESPONSE

The Regional Educational Programs strongly support this recommendation. Five year funding cycles are superior in providing better assurances to students, and to providing staff with fuller opportunity to function without fear of termination.

Adult and Continuing Education

RECOMMENDATION NUMBER FOUR: ADULT AND CONTINUING EDUCATION PROGRAMS

Congress should authorize funds for each Regional Education Program to provide adult and continuing education programs and to assist local educational institutions in providing such programs to adults who are deaf.

RESPONSE

The Postsecondary Educational Programs enthusiastically endorse funding for adult and continuing education. Adult and continuing education programs are essential components of the basic mission of postsecondary education.

ADDITIONAL ENDORSEMENTS

There are additional recommendations of the Commission's Report that the Regional Educational Programs support. These recommendations include:

- American Sign Language
- Affirmative Action
- Competency Requirements
- Evaluation and Oversight
- Governing Bodies
- Quality Education

We would also like to emphasize Parents' Rights. Parent concerns do not stop with the completion of the IEP at high school graduation. Parent's are very concerned about appropriate Postsecondary Education.

We would also like to emphasize the Interpreter Provisions of the Commission's recommendations. Each of the current four Regional Education Programs have rich histories of providing Interpreter Training as well as other kinds of in-service training.

MAJOR RECOMMENDATION

The major recommendation of the four current Federally Funded Postsecondary Education Programs is to provide expedient legislative relief.

Specifically, we request:

- sufficient dollars to serve students seeking admissions to our respective Institutions
- sufficient funds to provide an appropriate level of support services including summer programs as necessary to assure quality education
- sufficient funds to perform adequate programs of outreach including adult and continuing education, preservice and in-service training, interpreter training and programs of career development

The Regional Postsecondary Programs have spent virtually everyday since 1969 struggling for survival while providing quality services to deaf students in postsecondary education on limited budgets. We need the assistance of the Committee to re-order our priorities to first and foremost providing quality education.

It is appropriate that stability and adequate funding be provided to the Postsecondary Education Programs so that their full attention can be devoted to the provision of postsecondary education for deaf people.

"POSTSECONDARY EDUCATION PROGRAMS"

"Sec.625. (a)(1) The Secretary may make grants to or enter into contracts with State educational agencies, institutions of higher education, junior and community colleges, vocational and technical institutions, and other appropriate nonprofit educational agencies for the development, operation, and dissemination of specially designed model programs of postsecondary, vocational, technical, continuing, or adult education for handicapped individuals.

"(2) In making grants or contracts on a competitive basis under this section, the Secretary shall give priority consideration to the four regional centers for the deaf and to model programs for individuals with handicapping conditions other than deafness--

"(A) for developing and adapting programs of postsecondary, vocational, technical, continuing, or adult education to meet the special needs of handicapped individuals; and

"(B) for programs that coordinate, facilitate, and encourage education of handicapped individuals with their nonhandicapped peers.

"(3) Persons operating programs for handicapped person under a grant or contract under paragraph (1), must coordinate their efforts with and disseminate information about their activities to the clearinghouse on postsecondary programs established under section 633(b).

(4) At least one year before the termination of a grant or contract with any of the 4 regional centers of the deaf, the Secretary shall publish in the Federal Register a notice of intent to recompete the award, contigent on the appropriation of sufficient funds by Congress.

(5) To the extent feasible, programs authorized by paragraph (1) shall be geographically dispensed throughout the nation in urban and rural areas.

(6) Of the sums made available for programs under this section not less than $2,000,000 shall first be available for the four regional centers for the deaf.

"(b) For purposes of this section the term 'handicapped individuals' means individuals who are mentally retarded, hard of hearing, deaf, speech or language impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, or other health impaired individuals, or individuals with specific learning disabilities who by reason thereof require special education and related services.

Priorities of the Four Regional Postsecondary Education Programs for the Deaf (RPEPDs) in Response to the report Toward Equality, Education of the Deaf by the Commission on Education of the Deaf

April 6, 1988

Submitted by

Robert R. Lauritsen
St. Paul Technical Institute

In Collaboration With

Dr. Vic Galloway
California State University at Northridge

Dr. Ron LaFayette
Seattle Community College

William Woodrick
The University of Tennessee

The Regional Postsecondary Education Programs for the Deaf (RPEPDs) are pleased that we were able to present testimony at the Hearings held by the United States Senate Sub-Committee on the Handicapped held March 21, 1988, and at the United States House of Representatives, Select Committee on March 30, 1988.

This document is in response to questions raised about the need of the four RPEPDs for increased funding, and how increased funding would translate to improving the equality of Postsecondary Education for Deaf People in the United States.

The RPEPDs are responding to Recommendations Numbers Seventeen, Eighteen and Nineteen of the Commissions Report. These Recommendations are:

COMMISSION RECOMMENDATION NUMBER SEVENTEEN:

> The Congress should increase funding to strengthen each Regional Education Program for the Deaf by providing a broader range of educational options, including vocational and technical training, two year junior college and baccalaureate programs. The number of Regional Postsecondary Education Programs for the Deaf should be increased to five. The additional program should be established in the southwest region of the United States to provide greater geographical coverage of the nation.

COMMISSION RECOMMENDATION NUMBER EIGHTEEN

A five-year competitive funding cycle should be established for the Regional Postsecondary Education Programs for the Deaf.

COMMISSION RECOMMENDATION NUMBER NINETEEN

The Congress should authorize funds for each Regional Education Program to provide adult and continuing education programs and to assist local educational institutions in providing such programs to adults who are deaf.

OBJECTIVES OF THE RPEPDs

Objective One: To provide for equality in Postsecondary Education for Deaf Youth and Adults in the United States

Objective Two: To provide a National Consortium of Postsecondary Education Opportunities for Deaf People through a formal alliance among the Regional Postsecondary Education Programs for the Deaf, Gallaudet University and the National Technical Institute for the Deaf

NOTE: All Priorities of the RPEPDs are based on the premise that recommendations of the Commission that deal with Program Standards, Quality Education, American Sign Language, Evaluation and Oversight, Affirmative Action, Governing Bodies, and Competency Requirements are integral to the daily, on-going operation of the RPEPDs.

PRIORITIES OF THE RPEPDs

ONE: Provide for twelve month continuous day time program opportunities for deaf students.

The overwhelming majority of deaf students entering postsecondary education require a Preparatory Program of Orientation prior to beginning study in a mainstreamed environment.

The Summer months are superior months for providing Preparatory Programs of Orientation. Optimal major area selections in postsecondary education are available during fall terms. Participation in summer Preparatory Programs enable deaf students equal opportunity to full selection of courses of study for the full academic year.

TWO: Provide for strengthening of Preparatory Program of Orientation offerings.

Current Preparatory Programs of Orientation among the RPEPDs range from minimal orientation periods to twelve weeks. There should be more uniformity among all RPEPDs in Preparatory Programs of Orientation.

RPEPDs currently offer multiple starting dates for Preparatory Programs of Orientation during the regular academic year. These multiple start dates need to be retained. Extended Preparatory Programs of Orientation beyond one academic term will be required for select students. Developmental programs need to be established for those students unable to meet normal major areas of study entrance requirements.

THREE: Provide for uniformity of Support Services for deaf students in the RPEPDs

Support Services are those services that permit deaf students to mainstream in postsecondary education and include in addition to Preparatory Programs of Orientation the following services:

- Interpreting, Manual and Oral
- Counseling
- Tutoring
- Note-taking
- Specialized Technological Services
- Housing
- Family Liaison

Strong Support Services coupled with Critical Mass are two of the primary reasons that deaf individuals select a postsecondary institution. Strong Support Services are the key to equality in education.

Part of this request is to provide for additional staff as needed to assure equality and for restoration of needed staff positions that were previously employed and eliminated due to budget fluctuations.

FOUR: Provide for increased marketing.

Deaf students in secondary education are more hidden and isolated than at any time in history. There are thousands of deaf students in secondary mainstreamed educational environments that are totally unaware of life after high school. Mainstreamed educators including administrators, counselors, teachers and support staff have no or minimal knowledge of postsecondary opportunities for deaf students.

It is the responsibility of the RPEPDs, Gallaudet University and the National Technical Institute for the Deaf to provide marketing activities that will promote awareness among all persons about Postsecondary Education for Deaf People. Parents and family members in particular need to have this awareness.

FIVE: Regional Advisory Committees fairly representing the service area of the RPEPDs need to be established.

The RPEPDs support the Commissions Recommendation Number 26 which states that:

The Congress should amend the Education of the Deaf Act to require that a majority of the members of the governing and advisory bodies of Gallaudet University, the National Technical Institute for the Deaf and the Regional Postsecondary Programs for the Deaf be persons who are deaf.

SIX: Interpreter training programs need to be strengthened at each of the RPEPDs.

Interpreting services are the life stream of the RPEPDs. It is imperative that each of the RPEPDs maintain a constant source of trained interpreters.

RPEPDs were pioneers in the training of Interpreters in the United States. Over the years RPEPDs have used a combination of local, state and federal funding to maintain interpreter training programs. RPEPDs are a valuable regional resource in the provision of Interpreter Training and Sign Language Programs.

SEVEN: The RPEPDs need to have flexibility for serving high risk students.

The current NTID proposal for a Postsecondary Consortium for Educational Outreach clearly demonstrates that 91% of hearing impaired high school graduates go unserved each year by Postsecondary Education.

Select RPEPDs can provide services to reach a portion of this population. These services include Work Evaluation/Assessment, Job Coaching, Supported Employment, Stop-out Vocational Training (flexibility to enter training programs and progress to individual ability level), job placement and employment follow-along services.

EIGHT: Technology.

Deafness remains an all pervasive handicapping condition. The RPEPDs are ideally situated to utilize and assist in the adaptation of existing technology and the development of new and emerging technology that can impact upon literacy and education. RPEPDs need to be aggressively involved with improved assistive devices, communication devices, computer technology, telecommunication including television technology and medical advances such as cochlear implants.

The unique challenge available to the RPEPDs is adapting high technology postsecondary training environments for numerous students who possess low technology skills. The opportunity for the RPEPDs is to narrow this gap and to search for creative ways to correct, circumvent and compensate the deficits imposed by deafness and the demands and requirements of the training environment and the workplace.

NINE: Adult and Continuing Education Programs

Adult and Continuing Education Programs are integral to postsecondary education programs. Deaf persons require special accommodations to become participants in Adult and Continuing Education Programs. Special accommodations include:

o focused marketing on the deaf adult person in the workplace, in rehabilitation facilities, on the unemployment roles, on SSI and other forms of public assistance

o provision of special support staff including program administrators, program planners and instructional staff

o provision of adequate support services including interpreters, notetakers and tutors

o working with business and industry to improve the work environment for employed deaf persons to include job retention skills, vertical mobility training and awareness training for hearing persons who are co-workers with deaf individuals

TEN: RPEPDs as Regional Centers on Postsecondary Education

The four RPEPDs are recognized as Centers on Deafness for the expertise they each have about Deafness and about their respective areas of postsecondary education.

It is cost effective for each Center to establish Consortium programs linking together Baccalaureate Education, Community College Education and Technical Vocational Education. For example, St. Paul Technical Institute would add to its' expertise in Technical Vocational Education by entering into formal agreements for campus services at the University of Minnesota and at a Community College. The additional RPEPDs of California State University at Northridge, Seattle Community College and the University of Tennessee would establish similar models thus creating a National Network of Regional Centers offering a viable range of educational opportunity.

SUMMARY

The Ten Priorities implemented will vastly and dramatically improve equality in access to postsecondary education for significant numbers of deaf persons. The linking of the RPEPDs to a formal alliance with Gallaudet University and the National Technical Institute for the Deaf provides for a coordinated approach to efficiently serving deaf youth and adults in postsecondary education.

Senator HARKIN. Mr. Lauritsen, thank you. I thank you all for your fine statements.

I have some questions, but before I get to those I would recognize the distinguished Senator from our neighboring State of Illinois, Senator Paul Simon, who is one of the fathers of Public Law 94-142 back when he was in the House, when he first came to the House back in what seems like ages ago now, Paul, but back in the mid-seventies. He was active in that area when he was in the House and has continued so here in the Senate, especially on this Committee. We are honored to have you with us today, Senator Simon, and I recognize you for any opening statement or questions that you might have.

[Applause.]

OPENING STATEMENT OF SENATOR SIMON

Senator SIMON. Thank you. I am very pleased to be here and I thank you, Mr. Chairman, for calling this hearing. I think that Dr. Jordan's presence particularly marks a new era. It marks a new era of public attention to the problems of those who are hearing impaired and to the deaf. It gives us a chance to have a new beginning for a great many people all over this country.

And let me say, as one who urged Dr. Zinser to step aside, I applaud what she did in stepping aside and I applaud the gracious way in which she handled the whole situation. We now have a chance to not only help Gallaudet but to examine what needs to be done to make our education programs more effective, to make independence and productivity for the deaf members of our society much more a part of the future.

I will enter my full statement in the record, with your permission, Mr. Chairman, but I am very pleased to have this report which I have not had a chance to look at yet. I am pleased particularly to welcome Dr. Jordan. I guess more than even the report and your presence, Dr. Jordan, I welcome the renewed interest in the problems of the deaf in our society. I think we really have a chance to move forward now.

Thank you, Mr. Chairman.

[Applause.]

[The full text of Senator Simon's statement follows:]

OPENING STATEMENT: SENATOR PAUL SIMON

HEARING ON THE COMMISSION ON THE EDUCATION OF THE DEAF'S REPORT TO CONGRESS. March 21, 1988

I AM PLEASED TO BE ABLE TO BE WITH YOU TODAY -- TO GIVE APPROPRIATE ATTENTION TO THE IMPORTANT RECOMMENDATIONS OF THE COMMISSION, AND ALSO TO MARK THE BEGINNING OF A NEW TIME FOR ALL PEOPLE WHO ARE DEAF IN THIS COUNTRY AND, PERHAPS, AROUND THE WORLD AS WELL.

THERE HAS RARELY BEEN A SERIES OF EVENTS THAT SO RADICALLY CHANGED, IN SUCH A SHORT PERIOD OF TIME, THE PERCEPTIONS OF A NATION. THERE IS NO QUESTION THAT WE ALL LEARNED, AND WE ALL GAINED BY THE INSISTENCE OF THE STUDENTS AND FACULTY AT GALLAUDET THAT THE DAYS OF PATERNALISM AND OF HAVING CONDITIONS IMPOSED BY A HEARING WORLD ON THE UNIQUE WORLD OF THE DEAF ARE OVER. IN A LETTER I WROTE TO THE CONGRESSIONAL MEMBERS OF THE GALLAUDET BOARD OF TRUSTEES, I SUGGESTED THAT ELISABETH ZINSER BE PERSUADED THAT HER RESIGNATION WOULD NOT SIGNIFY A PERSONAL DEFEAT FOR HER, BUT RATHER A RECOGNITION, BASED UPON A NEW UNDERSTANDING OF ISSUES IMPORTANT TO THE DEAF COMMUNITY, OF THE BEST INTERESTS OF GALLAUDET. IN FACT, IT WAS NOT JUST ELISABETH ZINSER, BUT ALL OF US, INCLUDING THE DEAF COMMUNITY ACROSS THE COUNTRY, WHO WERE SENSITIZED AND EDUCATED BY THE EVENTS AT GALLAUDET.

I WELCOME DR. JORDAN, THE NEW PRESIDENT OF GALLUADET, AND LOOK FORWARD TO HIS LONG AND PRODUCTIVE RELATIONSHIP WITH THIS SUBCOMMITTEE. HE AND OTHER GOOD FRIENDS OF THIS COMMITTEE AND REPRESENTATIVES OF THE DEAF COMMUNITY, INCLUDING MY OLD FRIEND, FRANK BOWE, ARE HERE TO TELL US WHAT NEEDS TO BE DONE TO MAKE EDUCATION PROGRAMS MORE EFFECTIVE IN PROMOTING INDEPENDENCE AND

PRODUCTIVITY FOR THE DEAF MEMBERS OF OUR SOCIETY. COMING AT A TIME OF NEW BEGINNING FOR THE DEAF COMMUNITY, THE WORDS OF THE COMMISSION WILL CARRY GREAT WEIGHT, AND I LOOK FORWARD TO WORKING WITH MY COLLEAGUES TO MAKE WHATEVER CHANGES ARE NECESSARY TO IMPLEMENT THEIR RECOMMENDATIONS -- INCLUDING THE RECOMMENDATION TO MOVE TO A MAJORITY OF DEAF MEMBERS ON THE GALLAUDET BOARD OF TRUSTEES.

Senator **Harkin**. Thank you.

Dr. Jordan, you have touched on it a little bit, but is it safe to say that Gallaudet University is a different university today than it was three weeks ago?

Mr. **Jordan**. Yes, absolutely. We are energized and united like I have never known. I was a student there in the 1960's, I have been a faculty member since 1973 and more recently an administrator. This is my fifteenth year and I have never known the sense of community, the sense of purpose, the sense of energy that is there. It is indeed a different place.

Senator **Harkin**. I am sure you know this, but I will just tell you as a personal incident that happened, that deaf people all over this country were so enthused and so proud of what happened at Gallaudet. I know when I talked to my brother who, by the way, has since retired, but he had been back at his workplace and he was saying that was all that his deaf friends were talking about, that is all they were talking about and how proud he felt of the young people at Gallaudet. It was all over, just every place, and I am sure you know that. I just wanted to bring it home to you again, that it was not just confined to, as we say, inside the beltway. In every little town in Iowa and I am sure in Illinois and everywhere else, wherever there is a person who is either deaf or has been in any way close to any deaf people, that it was just a remarkable thing.

So I congratulate you, the students, the faculty, everyone else who was involved. As Senator Simon said, because of those efforts, I think we are really—and the fact that this report comes out at this time—I think we really have a chance to really move forward aggressively.

The Commission made some recommendations for improvements at Gallaudet. They range from affirmative action in employment, a majority of deaf members on the governing board, and others. I do not need to go through all the recommendations, and I know you have only been there a short time. I just wondered if you wanted to expand on any of those recommendations, are there one or two or three that you would like to highlight, or would you like to have a little bit more time? If so, at some point in the future I would like to have some comments from you on those recommendations as they concern Gallaudet.

Mr. **Jordan**. As I told you earlier, we already have a team working on developing very specific responses to all of the recommendations, both those that impact on Gallaudet and those that do not. We are in very strong agreement with most of the recommendations of the Commission.

The issue of improved affirmative action, for example, we strongly support. The recommendation of 51 percent deaf person membership on the board of trustees already is being addressed by the new deaf chair of the board of trustees. He has established a task force that is be made up of board members, most of whom are deaf, to look into this. I am not yet well acquainted with the report, but there are some areas that do concern me. The international students, for example, is an area that concerns me. We have been serving international students since the 1880's, and Gallaudet University is still the only baccalaureate degree-granting university for deaf people in the world. We believe our international mission is a very important one, and to charge 75 percent of the full cost of educating individual students would in effect eliminate international students from Gallaudet, and we really do not want to see that happen.

In sum, I would ask, since I have only been on this job for one week, that you give me some more time to look carefully at the recommendations and then I will submit responses for the record.

Senator **Harkin**. I can understand that.

One other point. The Commission recognizes the existence of an identifiable, an important deaf culture, and suggests that this culture be tapped by educators to help deaf students understand and cope with their deafness. The psychological and sociological aspects of deafness need to be incorporated into the school curriculum. They must not be suppressed in a misguided effort to deny the differences inherent in deafness. There is nothing wrong with being deaf. The sooner children realize this, the sooner they will fashion for themselves lives of achievement and excellence.

This is from the Commission's findings. I just ask you if you agree with this, and is this accepted in the field today, this concept?

Mr. **Jordan**. Yes, sir, I agree with that finding. Gallaudet University has been a leader in research related to deaf culture and deaf language. For example, the scientific study of sign language actually began at Gallaudet University.

There is a growing acceptance of this concept in the field. Professional training programs at Gallaudet which train teachers, audiologists, school psychologists, counselors, and other specialists all include courses in sociology and psychology of deafness. We make it a very important part of stidents' education to inform them about the differences between deaf and hearing people.

Mr. **Castle**. We might add to that by pointing out that Gallaudet University, as a matter of fact, is sponsoring an International Congress in 1989 dealing with deaf culture.

Senator **Harkin**. Where is this?

Mr. **Castle**. It will be at Gallaudet University.

Senator **Harkin**. In 1989?

Mr. **Castle**. In 1989, right, next year.

Mr. **Jordan**. I thank you for reminding me to include that in my remarks. In July of 1989 there will be an international conference sponsored by Galludet University called "The Deaf Way." The conference will be a study of the culture, the history and the language of deaf people and will also include a festival of the arts by deaf people.

Senator **Harkin**. Very good. I am informed by my staff that I have already accepted an invitation to participate. [Laughter, applause.]

Did you have anything to add on that, Mr. Lauritsen, again this concept and this finding that I just mentioned?

Mr. **Lauritsen**. I think it is a part of deaf life, it is a way of life. You are going to see it here today. You are already seeing it out in this audience and, if you have time to stay a few minutes after, this crowd is not going to disappear if I know this group, they are going to be here for a while.

Senator **Harkin**. I sure hope not.

Mr. LAURITSEN. When this hearing is over, there is going to be a lot of conversation that is going to spill in this room and in the hallways. In our school, St. Paul Technical Institute, we call that very affectionately deaf hall. Should you have an opportunity to visit with us, you will not be able to walk through the hallways at about 2:00 or 2:30 in the afternoon because that is a part of the culture that is taking place.

In the report of the Commission that we have, I know there are references to critical mass, we talk about critical mass in this report. When we are talking about critical mass, we are talking about deaf people that come together for social reasons, and that is one of the important programs like Gallaudet and NTID and the regional programs are successful. It is the one thing that is missing when there are isolated deaf students in isolated programs, they do not have that critical mass. So, critical mass, deaf people gathering together, that is an important part of the culture and I am sure that will be discussed at the International Conference at Gallaudet.

Mr. CASTLE. I might also point out that the Rochester Institute of Technology, which is the host institution for NTID, has within its College of Liberal Arts a series of courses which are referred to as deaf studies courses.

Senator HARKIN. Mr. Castle, the Commission reports that at NTID computer-controlled interactive videodisc programs are used for lip-reading training, sign language training and vocabulary development. What is that program?

Mr. CASTLE. This is what we refer to as our David System. It is a combination of computer power and videotape power which is governed now by a videodisc system, which is one of the most important recent inventions in terms of videotaping. We use this as a self-instruction tool. An individual may sit in front of the video system with the computer and go into a program of lip-reading training or sign language training or vocabulary development.

Senator HARKIN. What steps are you currently taking to improve the recruitment, hiring and promotion of deaf individuals at NTID?

Mr. CASTLE. We have a very strong affirmative action program in place at NTID. As I pointed out in my earlier report, the numbers of hearing-impaired persons on the staff have increased in the past two years by 24 percent, and we currently have, if we exclude interpreters, audiologists and speech pathologists from consideration, 12.5 percent of our staff who are hearing impaired.

Senator HARKIN. 12.5 percent?

Mr. CASTLE. 12.5 percent.

Senator HARKIN. How big is your staff?

Mr. CASTLE. The staff excluding interpreters, audiologists and speech pathologists, is approximately 439 full-time and 50 part-time.

Senator HARKIN. 439 full-time and 50 part-time. That does not include interpreters?

Mr. CASTLE. No, that does not include the interpreters.

Senator HARKIN. That does not include them.

Mr. CASTLE. So you would have to subtract from that 100.

Senator HARKIN. So 589 minus 100, right? So you have got 489 staff, and you say that out of that 12.5 percent are hearing impaired?

Mr. **Castle**. That is right.

Senator **Harkin**. So that would be about 60?

Mr. **Castle**. Yes, 61 to be exact.

Senator **Harkin**. What is that compared to last year?

Mr. **Castle**. It is an increase of about 7 over last year's level.

Senator **Harkin**. Why is it there are not more that are hearing impaired?

Mr. **Castle**. Well, first of all, we have in addition to the interpreters, all of whom have to be hearing people, speech pathologists and audiologists in goodly numbers, all of whom also have to be hearing. In addition to that, deaf people have not historically been trained in technical fields; that is why NTID was created. We anticipate that in the future a number of our graduates with a worldly experience will come back to work with us, but that number may not be that great either, because most of them leave us with only an associate degree. In addition even those who have left with baccalaureate degrees will have to have additional academic work before they can become members of our faculty. We will encourage that and work at that as we move into the future.

Senator **Harkin**. Okay. Thank you.

Senator Simon?

Senator **Simon**. We have a vote on and so I am going to try and get just a few questions in, and if I do not get them all answered, I'd appreciate it if we can have them answered for the record.

First, I was interested in the area of research. What are we doing in the area of research compared to our potential? How much are we spending now? Incidentally, when I contacted NIH sometimes ago to try and nail down what we are doing, I found that it was difficult to get precise answers. What are we doing now, and what should we be doing in dollar figures? Can any of you answer that?

Mr. **Castle**. The Commission points out that research dollars at Gallaudet University and NTID currently total about $8 million. Something less than $1 million of that is spent by NTID. In addition to the $8 million spent by Gallaudet and NTID, I believe there are several million dollars of research dollars within the Department of Education devoted to special education interests. What the amount spent by NIH in its current makeup, I really cannot say, particularly if you are asking for a focus on deafness, but I believe there was an earlier allusion to about 15 percent. However that is for the NIH subsidiary dealing with all neurological problems, so deafness research is only a component of that.

Senator **Simon**. I am a cosponsor of Senator Harkin's bill to set up a separate institute and I strongly favor it, but I do not simply want a separate structure. I want to see that we move ahead in the area of research, and I'd welcome any insight you can provide me and the members of the Subcommittee in the area of how much we ought to be doing, how much we can constructively use. I do not want to waste money, but I also want to see that we make progress in this field.

Mr. **Castle**. We will be happy to submit something for the record.

Senator **Simon**. You mentioned your international conference. I hope that people from the Soviet Union and the Warsaw Pact countries will be invited to that, too, so that we build some bridges there. Is that being done?

Mr. **Jordan**. Yes, sir, they have been invited and we are making an effort to be sure that they attend.

Senator **Simon**. Great. I will follow through with a letter to the Soviet Embassy and the Warsaw Pact country embassies, for Czechoslovakia and so forth, urging them to participate.

Mr. **Castle**. At last summer's meeting of the World Federation of the Deaf, this particular proposed International Congress was on strong display and there were people from all countries around the world attending that meeting.

Senator **Simon**. Then, finally—and maybe this is part of this report—where can I get a good solid base of where we are in employment opportunities for the deaf and what we need to do yet? Is that in this report, or do we need to have that developed by someone?

Mr. **Castle**. I think the detail with respect to that matter is not in the report, but there are a number of us who can help provide that information to you.

Senator **Simon**. Okay. I thank all three of you. Thank you, Mr. Chairman.

Senator **Harkin**. Thank you, Mr. Chairman.

As some of you may see, we have a vote going on and we have seven and a half minutes left. I had some other things I wanted to go over. I will very quickly say that Senator Weicker regrets that he was unable to be here and, without objection, his statement will be made a part of the record in its entirety.

I again want to say publicly how much I appreciate all that he has done on this Committee, first as Chairman preceding me and now as a member of this Subcommittee.

Secondly, I will be asking you in writing, Dr. Jordan and others, about this funding. As I understand from my staff, $4 million now goes for foreign students studying both at Gallaudet and NTID.

Mr. **Castle**. Sir, NTID does not currently serve foreign students. We have yet to be given permission to do that.

Senator **Harkin**. Pardon?

Mr. **Castle**. We have yet to be given permission to do that and we are hopeful that we will gain that permission before the year is over and on a parity basis with Gallaudet.

Senator **Harkin**. There is $2 million at Gallaudet.

Mr. **Jordan**. There is not a specific budget for support of foreign students. We will submit information for the record on foreign student enrollment and costs.

Senator **Harkin**. And all of the regions get $2 million combined. I guess what I am wondering——

Mr. **Lauritsen**. The regional educational programs under section 625 are receiving a total of approximately $2 million right now and that is a figure that we feel we would like to see changed.

Senator **Harkin**. Do we get help—I guess what I am getting at is do we get any help from the foreign countries of origin of these students to assist? I do not know.

Mr. **Castle**. I believe that Gallaudet University, in serving foreign deaf students, at this time requires a 20 percent surcharge on tuition, which means their education is largely by the U.S. citizens.

Senator **Harkin**. All right. I am going to look into that. I am sorry I have to leave in such a rush. There is one thing, Dr. Jordan, I wanted to discuss with you sometime. I read an essay some years ago by Margaret Mead on the use of sign language as a universal second language. I see some heads nodding, so people know what I am talking about. I have always thought that was an excellent suggestion and not much has been done to follow up on it because, as Margaret Mead said, I remember she said that, for example, the word "cat" in French is one thing and "cat" in English, but the symbol in both is the same and so it would be much easier to have a universal second language, sign language for people to communicate with. It has always intrigued me and I wondered if anyone has done any research on that, has anything been brought forward on that. It always appealed to me.

Mr. **Jordan**. As a matter of fact, I have done extensive research in that area and I can tell you in brief that different countries have different sign language just as they have different spoken languages and people from different signing communities cannot understand each other. They are separate and unique languages.

Senator **Harkin**. So it would be a big problem.

Mr. **Castle**. An attempt has been made to establish an international sign language called Gestuno, but it is not prevalently used. It is kind of an echo of the move on for Esperanto and has gone about as far.

Senator **Harkin**. I see.

[Additional statement submitted for the record follows:]

Statement

to

Senate Subcommittee on the Handicapped

Washington D.C.

March 21, 1988

Submitted on behalf of:
American Deafness & Rehabilitation Association

Prepared by

Martha Slaughter
Rehabilitation Services Supervisor
Southwest Center for the Hearing Impaired
San Antonio, Texas

The needs of the multihandicapped and low achieving deaf population must be addressed. It is estimated that over 60% of hearing impaired high school graduates have neither the academic background nor the language skills to function in post secondary academic programs. These persons have second grade reading skills or less, limited vocabulary and communication skills, no experience in independent living or competitive employment, limited exposure to decision making and autonomy.

A historical perspective shows in the 1960s federal research and development funds were available to establish comprehensive services for this group. Programs were established in Hot Springs, Arkansas; St. Louis, Missouri; Chicago, Illinois; Indianapolis, Indiana; Boston, Massachusetts, Columbus, Ohio; and New York City, New York. These programs were individually successful until the funding base was withdrawn.

Funding patterns shifted, in response to public law 94-142, to post secondary education programs. This led to a marked decrease in quality rehabilitation programs for low achieving deaf persons. There was a corresponding increase of deaf college student enrollment of an estimated 33 to 36 percent. Very few comprehensive programs for the low achieving, minimal language skilled deaf population still exist.

If there are an estimated 60% of deaf high school graduates who are unprepared to enter post secondary academic programs where are these people to be served? Certainly some of these people can make a transition to competitive employment with traditional vocational rehabilitation services. However, an estimated 30 percent of the deaf population can be characterized as low achieving. These include those persons who have limited or no formal education, those who through misdiagnosis have been educated in institutions for the developmentally disabled, and those who never completed high school.

A profile of these individuals would be as follows:

- 22 years of age or over (ineligible for continued academic training).
- A literacy level of 2nd grade or less.
- Severely limited communication skills in any communication modality.
- No experience in living independently.
- No employment history.
- No experience in decision making or problem solving.
- Frequently secondary disabling conditions exist.

-An inability to advocate for themselves.

The synergistic effect of the multiple deficits of this group make all aspects of habilitation inaccessible without specialized services. The number of persons misdiagnosed and inappropriately placed, by service providers with limited understanding of this group, is indicative of the need for qualified evaluating and training staff. Adding interpreters to programs designed for other groups is neither cost effective nor adequate service provision. Appropriate evaluation and diagnostic tools must be used by staff trained in working with these individuals. Training programs and instructional components must be targeted to meet these combined deficits. Personnel must be trained in methods of instructing people who neither read nor write, hear nor speak, are unable to use the language structure of English or of American Sign Language, and have vocabularies so limited that the most basic information for life is indiscernible to them.

It is unreasonable to expect existing agencies to be able to meet these needs by adding a few staff with some sign language or interpreter services. Regional Comprehensive Service Centers could meet these needs as well as channeling clients to community support agencies. Only in such centers, employing professionals with adequate skills, materials and programs can services be consistently provided.

Honorable SenatoR Harkin
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cheryl
Baker

SHHH

SELF HELP FOR HARD OF HEARING PEOPLE INC.
7800 WISCONSIN AVENUE
BETHESDA, MARYLAND 20814
(301) 657-2248 (V) 2249 (TTY)

April 18, 1988

The Honorable Tom Harkin
United States Senate
Subcommittee on the Handicapped
113 Hart Senate Office Building
Washington, D. C. 20150

Dear Senator Harkin:

Thank you for the opportunity to comment on the report entitled, "Toward Equality: Education of the Deaf," prepared by the Commission on Education of the Deaf.

While we are pleased that the Commission has made many recommendations, with which we generally concur, to improve the quality of education of hearing impaired children, we have several concerns which prevent us from fully endorsing the report.

The Commissioner's definition of the term Deaf (page xii-notes on terminology) is as inclusive as it is unusual. Having made a broad definition, the Commission then proceeded to focus on the problems of culturally (or attitudinally) deaf children. A large experience of hard of hearing children who have always been mainstreamed is not covered in the report. This is a major concern to SHHH.

The report grossly understates the magnitude of hearing loss in children and early identification procedures needed. Also, the report does not stress strongly enough the need for developing quality educational guidelines for mainstream programs--both single school-systems-based-programs and regional collaboratives--within public schools.

According to the authors of Our Forgotten Children: Hard-of-Hearing Pupils in the Schools, approximately 25 per 1,000 school children have a hearing loss of sufficient magnitude and permanency to be at risk in regard to the potential impact of their hearing loss. Stated another way, about 1.2 million hard of hearing children are at educational risk nationally. Most of these children are either not being served at all or are not receiving appropriate services. Moreover, most of these children are probably attending public schools.

Figure 2.1 in the Commission's report indicates that 36,017 hearing impaired children (6 through 19 years old), in the 1985-1986 school year, received special education in special schools, special education in a regular education setting or attended regular education schools without the benefit of special education. The report does not disclose that 1.1 million hearing impaired children were not served, in the 1985-1986 school year.

In many instances, the hearing impairment may go undetected for all or most of the child's school days. Many children who have been classified as slow learners, underachievers, mentally retarded, problem children or dropouts may be unidentified or underserved hard of hearing children. For those whose hearing impairments are correctly diagnosed, schools have not usually made appropriate provisions to assure that these students can fairly participate in their classes. Typically, preferential seating is the total response to a sizeable impairment of hearing. (What has been the cost to society for not providing these children with an appropriate education?)

Like the general population, most educators do not understand that the child's academic and communicative performance is related to the severity of his hearing loss and the nature of the educational intervention. The authors of Hard of Hearing Children In Regular Schools report that half of the teachers in a recent four year study did not think the children's hearing loss had anything to do with their academic problems, even though all of the teachers knew the children had hearing problems. This misconception exists today even though numerous studies over the last thirty years have conclusively proven otherwise.

The U. S. Department of Education and the vast majority of the various state Departments of Education have not adequately addressed the delivery of educational services to hard of hearing children. Instead, reliance has been placed on the interaction of all too often uninformed officials, with respect to educational intervention required as a direct result of hearing loss in some 16,000 school districts with equally uninformed parents of hard of hearing children.

Accordingly, we are requesting that those charged with implementing the Commission's recommendations broaden their focus to include developing and disseminating authoritative literature regarding identifying and educating hard of hearing children in local public schools:

-- Guidelines on screening for hearing impairment.

Screening audiometry should be required every year during the first six school years and every other year throughout the remaining elementary and secondary school years. Screening should not be a haphazard affair placed in the hands of a teacher's aide, teacher or a school nurse who has had no formal instruction in how it should be conducted. Preferably, auditory screening should be done by or under the supervision of a certified audiologist or otologist. Records of screening results should be maintained in all students' files, to assure that they do not miss a screening. Whenever a child fails screening, follow-up examinations should be made to determine the basis of the failure.

-- material for school administrators, teachers, and parental groups assist them in understanding of both the seriousness of academic and communicative problems associated with having "just a moderate hearing loss" and the habilitation measures that can and must be taken.

-- guidelines for designing mainstream programs--both single school-system-based programs and regional collaboratives.

The U. S. Department of Education should develop broad guidelines, disseminate authoritative literature to state Departments of Education and encourage each state to develop more detailed guidelines. These guidelines should state that the decision to use cued speech, sign language, total communication or oral approach to education will be based on parental preferences and educational assessments, with significant weight given to parental preference.

-- guidelines for the selection, administration and interpretation of educational assessments.

These guidelines should recognize that there are special considerations parents and professionals face in evaluating a hard of hearing child--unique even from the evaluation of students with profound hearing loss.

Again, thank you for the opportunity to comment on the report entitled, "Toward Equality: Education of the Deaf."

Sincerely,

Howard E. Stone

Howard E. Stone, Sr.
Executive Director

Dan Simmons
Chair, Parental Involvement
Committee

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Senator HARKIN. Again, thank you. I would just say to all of you who are here, please do not be strangers. As we move ahead with our hearings, as we move ahead with our markup, as we try to get the amounts of funds that we believe are necessary, we need you to come down here and to be here and to express yourselves and so I do not want you to be strangers any more in this hearing room. Please come down, as you so eloquently demonstrated a few weeks ago, and demand your rights also here.

[Applause.]

The Commissioners are having a press conference here at 1:30 today, but now it is time for a vote and also it is time for lunch. The Subcommittee will stand adjourned.

[Whereupon, at 12:50 p.m., the subcommittee adjourned.]

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